

FINAL
ENVIRONMENTAL IMPACT REPORT

Santa Clara Square

3610 and 3700 El Camino Real

PLN2003-04079 and CEQ2003-01015

State Clearinghouse Number 2003122002

February 8, 2008

CITY OF SANTA CLARA

INTRODUCTION

The Santa Clara Square Draft EIR (DEIR) was circulated for public review and comments from July 21, 2006 to September 7, 2006. This document, which is a part of the Final EIR (FEIR), includes responses to written comments that were received on the DEIR, and text amendments. The Final EIR includes:

- Draft EIR
- A list of persons, organizations and public agencies commenting on the Draft EIR
- Comment Letters on the Draft EIR
- Responses to Comment Letters on the Draft EIR
- Text Amendments

A total of 59 comment letters were received: 7 from public agencies and 52 from neighboring homeowners. Many of the written comments were personal opinions or were raised on issues and information that were identified and adequately addressed in the Draft EIR and are not “significant environmental issues”. A number of comments also expressed opposition to the project; while these comments are important for the public discourse on the merits of the project, they do not affect the adequacy of the Draft EIR. None of the comments raised significant deficiencies in the DEIR. All of the comments are acknowledged and are part of the Final EIR. The responses emphasize issues related to the adequacy of the Draft EIR in identifying and analyzing the possible significant environmental impacts of the project and possible approaches for avoiding or mitigating these impacts.

The comment letters are numbered and listed in the order they were received in the following Comment Letter Matrix. The matrix shows staff’s understanding as to which letters commented on which topics. Master responses were prepared for comments that are repeated in multiple letters. All letters are responded to individually, with the responses on the opposite page facing the comment page. The number preceding the response refers to the comment’s designation. Where the comments were not designated, they have been numbered consecutively. The responses to public agency letters are collectively presented first, followed by the master responses and responses to general public letters; and section VI presents text amendments to the Draft EIR.

TABLE OF CONTENTS

INTRODUCTION

I. DRAFT EIR DISTRIBUTION LIST	A-1
---------------------------------------	------------

II. COMMENT LETTER MATRIX	A-2
----------------------------------	------------

III. PUBLIC AGENCY COMMENT LETTERS AND RESPONSES

<i>Commenter</i>	<i>Date of Letter</i>	
1. Santa Clara County Roads and Airports Department	8/22/06	A-7
2. California Department of Transportation	9/07/06	A-9
3. State Clearinghouse	9/08/06	A-15
4. Santa Clara Valley Water District	9/11/06	A-19
5. City of Sunnyvale	9/11/06	A-25
6. Santa Clara Valley Transportation Authority	9/11/06	A-31
7. California Department of Transportation	10/19/06	A-33

IV. MASTER RESPONSES

List of Commenters.....	A-35
A. AESTHETICS	A-36
B. AIR QUALITY	A-38
C. BIOLOGICAL RESOURCES	A-42
D. LAND USE AND PLANNING	A-43
E. NOISE.....	A-43
F. NOTIFICATION	A-47
G. PARKING.....	A-48
H. PROJECT SCHEDULE	A-49
I. PUBLIC SERVICES.....	A-50
J. TRANSPORTATION / TRAFFIC	A-50
K. UTILITIES AND SERVICE SYSTEMS.....	A-51

V. GENERAL PUBLIC COMMENT LETTERS AND RESPONSES

VI. TEXT AMENDMENTS

APPENDIX

Geotechnical Investigation Review Letter
Traffic Count Validity Memo
General Plan Sanitary Sewer Text Amendment

LIST OF FIGURES

Shadow Diagrams - Summer.....	A-39
Shadow Diagrams - Winter.....	A-40
Southerly Boundary	A-41
Existing Townhomes Cross-Section	A-46
10a. Parking Analysis Diagram.....	A-255a
11. First Level Plan	A-257
12. Fifth Level Plan	A-258
13. Eighth Level Plan	A-259
A-1 Conceptual Future View	A-261
A-2 Conceptual Future View	A-262
A-3 Conceptual Future View	A-263
A-4 Conceptual Future View	A-264
Trees to be Removed	A-278

I. DRAFT EIR DISTRIBUTION LIST

State Agencies

State Clearinghouse
California Department of Transportation
Native American Heritage Commission
California Highway Patrol
Housing and Community Development
Regional Water Quality Control Board
Department of Toxic Substances Control

Regional and Local Agencies

Association of Bay Area Governments
City of Sunnyvale Planning Department
City of Sunnyvale Public Works Department
Metropolitan Transportation Commission
Santa Clara County Clerk
Santa Clara County Planning Department
Santa Clara County Roads and Airports Department
Santa Clara Valley Transportation Authority

Special Districts

Santa Clara Valley Water District

School Districts

Santa Clara Unified School District

Organizations

Casa del Rey Homeowners' Association
Maywood Area Residents
Silicon Valley Leadership Group

II. COMMENT LETTER MATRIX

No.	Comment letters were received from	Date	Page Num	Opin Only	Proj Sched	Aesth etics	Air Qlt	Bio Res	Cult Res	Geol ogy	Hydr ology	Lnd Use	Noise	Pub Serv	Tran/ Traff	Util ities	Notice
1.	County Roads and Airports Department Rajuca Nitescu	8/22/06	A-7										•		•		
2.	Gary & Patricia Scarsdale 3712 Europe Court	8/27/06	A-57			•	•					•	•		•		
3.	Gary Vernik 1363 Sarita Way	8/27/06	A-61			•	•								•		
4.	Danny Hahn 3722 Europe Court	8/28/06	A-65			•		•				•			•		
5.	Sarvesh Mathur 3757 Adriatic Way	8/28/06	A-67	•			•					•	•		•		
6.	Michele & Keith Miyasaki 3748 Adriatic Way	8/28/06	A-71	•		•						•	•	•	•		
7.	Carrie Walters & Michael Clapperton 1337 Halford Avenue	8/29/06	A-75	•		•	•					•	•		•		
8.	Raj & Charu Khanna 3737 Adriatic Way	8/29/06	A-77			•		•				•	•	•	•	•	
9.	Vincent Lum 1341 Casa Court	8/29/06	A-81	•		•	•					•	•		•		
10.	Chong Teoh & Cheng- Tse Fu 3615 Brach Way	8/29/06	A-85	•			•					•	•		•		
11.	S. Prasads Europe Court	8/30/06	A-89			•	•					•	•		•		
12.	Chungman Ho 1362 Casa Court	8/31/06	A-93			•	•					•	•	•	•		
13.	Dr. William J. & Judy L. Murray 1326 Karina Way	8/31/06	A-97		•	•	•					•	•	•	•		
14.	Linda McClure 3713 Europe Court	9/1/06	A-101		•	•	•					•	•		•		
15.	Bill Hesley 3719 Europe Court	9/2/06	A-105	•		•						•		•	•		
16.	Mario Mere 3681 Brach Way	9/2/06	A-109	•		•						•	•		•		

No.	Comment letters were received from	Date	Page Num	Opin Only	Proj Sched	Aesth etics	Air Qlt	Bio Res	Cult Res	Geol ogy	Hydr ology	Lnd Use	Noise	Pub Serv	Tran/ Traff	Util ities	Notice
17.	Kathryn L. & Herbert D. W. Ebhardt 1316 Karina Way	9/4/06	A-113	•		•	•					•	•		•		
18.	Russell Ryono 1373 Sarita Way	9/4/06	A-117	•		•						•					
19.	Jill Lipari 1572 Peacock Avenue, Sunnyvale	9/5/06	A-121											•	•		
20.	EJ Wright 1414 Sarita Way	9/5/06	A-123			•	•					•	•		•		
21.	Ivonne Zelaya 1338 Thunderbird Avenue	9/5/06	A-127												•		
22.	Charles H. Moss 1062 Castleton Way, Sunnyvale	9/6/06	A-129	•													•
23.	Norval Nelson 1099 Bryant Way, Sunnyvale	9/6/06	A-131												•		
24.	Martin Blatner 3683 Europe Court	9/7/06	A-135			•	•					•	•		•		
25.	Ron Eckert 1370 Sprig Court, Sunnyvale	9/7/06	A-137	•			•					•	•	•	•	•	
26.	Lorraine May 1143 Cotswald Court, Sunnyvale	9/7/06	A-141											•	•		
27.	California Dept. of Transportation Timothy C. Sable	9/7/06	A-9						•						•		
28.	Murali V. 1396 Gazdar Court	9/7/06	A-147											•	•		
29.	Derek Jewhurst 3605 Brach Way	9/8/06	A-149		•	•	•					•	•		•		
30.	State Clearinghouse Terry Roberts	9/8/06	A-15														
31.	Aaron Weiner 1332 Casa Court	9/8/06	A-153	•		•	•					•	•		•		
32.	Carol & Steve Peluffo 1055 Bryant Way, Sunnyvale	9/9/06	A-157	•		•						•			•		
33.	Charlie Zhong	9/9/06	A-159	•			•						•	•	•		•
34.	Maria J. Bardach 1309 Karmen Court	9/10/06	A-161	•		•						•			•		

No.	Comment letters were received from	Date	Page Num	Opin Only	Proj Sched	Aesth etics	Air Qlt	Bio Res	Cult Res	Geol ogy	Hydr ology	Lnd Use	Noise	Pub Serv	Tran/ Traff	Util ities	Notice
35.	Casa del Rey Homeowner's Assn. Halford Avenue btw Burnley Way & Lillick Drive	9/10/06	A-163			•	•					•	•	•	•		•
36.	Ildiko B. Dihen 1360 Road Runner Terrace #D, Sunnyvale	9/10/06	A-171	•													
37.	Kathie Dunnam 1359 Thunderbird Avenue, Sunnyvale	9/10/06	A-173			•						•			•		
38.	Michael & Deborah Farmanian	9/10/06	A-177	•								•			•		
39.	Savitha Gandikota Sunnyvale	9/10/06	A-179	•		•	•						•	•	•	•	
40.	Doug Hosking 1315 Karmen Court	9/10/06	A-181			•	•	•		•		•	•	•	•		•
41.	Colin McCracken 1309 Karmen Court	9/10/06	A-193			•						•		•	•		
42.	Loretta Beavers & Keith Stattenfield 1395 Gazdar Court	9/10/06	A-195			•						•	•	•	•		
43.	Stan Tsu	9/10/06	A-201			•	•					•	•	•	•		•
44.	Janice & Roy Wolf 1360 E Roadrunner Terrace, Sunnyvale	9/10/06	A-205			•						•		•	•		
45.	Everett Zelaya 1338 Thunderbird Avenue, Sunnyvale	9/10/06	A-207	•		•						•			•		
46.	Michael RK & Sukanya K Alley 3751 Lillick Drive	9/11/06	A-209	•		•	•					•			•		
47.	Santa Clara Valley Water District Wendy Jones	9/11/06	A-19					•		•	•					•	
48.	Angelo Margozi 1357 Turnstone Way, Sunnyvale	9/11/06	A-211			•	•					•	•		•		
49.	Lorraine May	9/11/06	A-213											•	•		•

No.	Comment letters were received from	Date	Page Num	Opin Only	Proj Sched	Aesth etics	Air Qlt	Bio Res	Cult Res	Geol ogy	Hydr ology	Lnd Use	Noise	Pub Serv	Tran/ Traff	Util ities	Notice
50.	Eileen McGough	9/11/06	A-215	•		•	•							•	•		
51.	City of Sunnyvale Andrew Miner	9/11/06	A-25			•						•		•	•		•
52.	Valley Transportation Authority Roy Molseed	9/11/06	A-31												•		
53.	John T. Reagan 3635 Brach Way	none	A-217		•	•	•					•	•		•		
54.	Rudy Siri 1058 Castleton Way, Sunnyvale	9/11/06	A-231	•													•
55.	Gordon Wilson 1334 Spoonbill Way, Sunnyvale	9/11/06	A-233											•	•		•
56.	Scott Kidney 1349 Thunderbird Avenue, Sunnyvale	none	A-235			•						•	•		•		
57.	Tappan G. Merrick 1091 Firth Court, Sunnyvale	9/12/06	A-239											•	•		
58.	Michele Maresca 3745 Adriatic Way	none	A-247		•	•	•	•				•	•	•	•		
59.	California Dept. of Transportation Timothy C. Sable	10/19/06	A-33								•						

NOTE: Public Agency comments are shown in **bold**.

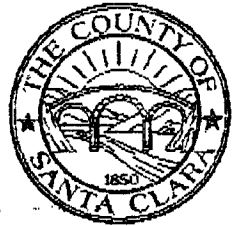
III. PUBLIC AGENCY COMMENT LETTERS AND RESPONSES

County of Santa Clara

Roads and Airports Department
Land Development and Permits

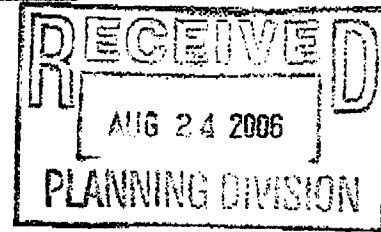
101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400 FAX (408) 441-0275

1



August 22, 2006

Mr. Douglas V. Handerson, AICP, Associate Planner
City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



Subject: Notice of Availability of a Draft Environmental Impact Report Santa Clara Square
Mixed Use 3700 El Camino Real SCH# 20003122002

Dear Mr. Handerson,

Your July 21, 2006 memo along with the attachment for the subject application have been reviewed.
Our comments are as follows:

1. The Traffic Impact Report (TIR) should include the intersection on Lawrence Expressway north-east of highway 101 as well the intersections on Central Expressway.
2. TRAFFIX Calculation, Pages in Appendix "B" shows no difference in Traffic Volume between Background and Project Conditions (see pages 3-2, 3-3, 3-6, 3-8, 3-10, and 3-11). These are the pages that were reviewed in detail by us. The remaining Level of Service (LOS) should indicate the same pattern.

For example:

Background on Page 3-10 the Base Volume are as follows:

15 3714 7 5 1615 30 12 1 3 6 1 15

Project on Page 3-11 of Appendix B:

15 3714 7 5 1615 30 12 1 3 6 1 15

What is the difference between the Background and Project Volume? They are the same based on the data above, which makes the comparison invalid. It seems the project traffic was not added to the LOS analysis for project scenario.

3. It is recommended a soundwall along the on-ramp to Lawrence Expressway.

If you have any questions, please contact me.

Sincerely,

Raluca Nitescu
Project Engineer
Cc: MA, SK, WRL, File

Board of Supervisors: Donald F. Gage, Blanca Alvarado, Pete McHugh, James T. Beall Jr., Liz Kniss
County Executive: Peter Kuras, Jr.

Responses to **County of Santa Clara, Roads and Airports Department**

1. The requirement for study of an intersection as part of a traffic impact analysis is determined by the “Ten Trip Rule” as outlined in the VTA’s *Transportation Impact Analysis Guidelines*, December 1, 2006. All intersections to which the project is estimated to add 10 or more peak hour trips per lane to any movement were studied per VTA guidelines. With Central Expressway providing two lanes in each direction, a minimum of 20 trips would be required for study. Similarly, with Lawrence Expressway providing four lanes in each direction, a minimum of 40 peak hour trips would be required to be added to its through lanes, or 10 trips to its turn lanes. The analysis indicates that project trips will add less than 10 peak hour trips to Central Expressway; and that project trips will dissipate drastically north of US 101 and result in less than 10 trips being added to any intersection along Lawrence Expressway, north of US 101. The evaluation concluded that there is no need for analysis of additional intersections.
2. Background Condition volumes used in the analysis consist of existing intersection counts plus the addition of traffic associated with approved projects in the area. Project condition volumes consist of Background Condition volumes plus the addition of estimated project traffic. Each intersection level of service calculation indicates existing, approved trips, and project trips as separate line items. The components of traffic are added and presented for each calculation under the “Final Vol” line of the calculation sheets. Intersection level of service results are based on the summation of each component of traffic, or the “Final Vol” line. The difference in the Background and Project conditions is the Project Trips. Using the same example:

Intersection #601 - Lawrence/Lehigh				AM Peak Hour Volumes (Final Vol)											
				North			South			East			West		
				L	T	R	L	T	R	L	T	R	L	T	R
Existing Conditions				15	3,714	7	5	1,615	30	12	1	3	6	1	15
Background Conditions				405	3,893	7	5	1,766	504	142	1	128	6	1	15
Project Conditions				405	3,905	7	5	1,800	504	142	1	128	6	1	15
Project Trips				0	12	0	0	34	0	0	0	0	0	0	0

3. The residential areas in the buildings along Lawrence Expressway are located on the fourth and fifth levels. The landscaped courtyards are shielded by the building, and the exterior balconies along Lawrence Expressway are to be inset into the building shell and/or will incorporate rail-height shielding from roadway traffic as described in Section III. K. Noise. A condition of approval for the project is a 8-foot chain link fence covered with vines along the on-ramp to Lawrence Expressway. The fence is a safety measure to keep people from the project off the on-ramp right-of-way. Access to the VTA bus stop on the ramp will be from the El Camino Real end of the ramp.

DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660

OAKLAND, CA 94623-0660

(510) 286-4444

(510) 286-4454 TDD



Flex your power!
Be energy efficient!

27

27.

September 7, 2006

SCL-082-14.43

SCL082351

SCH 2003122002

Mr. Douglas V. Handerson
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Dear Mr. Handerson:

Santa Clara Square - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following additional comments to offer.

1. Traffic

Page 88: The recommendation for traffic operation improvements on Halford Avenue should be made part of the mitigation measures included in the project.

2. Cultural Resources

Should construction activities occur in the State right of way (ROW) for this project and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5 (for state-owned historic resources) and Caltrans Standard Environmental Reference (SER) Chapter 2 (at <http://www.dot.ca.gov/hq/cnv/index.htm>), all construction within 50 feet of the find shall cease. The Caltrans Cultural Resource Study Office, District 4, shall be immediately contacted at (510) 286-5618 or 622-5458. A Caltrans staff archaeologist will evaluate the finds within one business day after contact. Archaeological resources may consist of, but are not limited to, dark, friable soils, charcoal, obsidian or chert flakes, grinding bowls, shell fragments, or deposits of bone, glass, metal, ceramics, or wood.

3. Community Planning

III. M. Transportation/Traffic. For site access consider addressing pedestrian access to the site as a means of reducing vehicular trips between adjacent neighborhoods and the new development, including those by way of State Route 82 (El Camino Real). Although

"Caltrans improves mobility across California"

Responses to **California Department of Transportation**, September 7, 2006

1. There are no significant traffic impacts and, therefore, no mitigation measures are required. See section III. M. Transportation / Traffic. Traffic “operations improvements” on Halford Avenue as recommended by the Engineering Division include the construction of a median with a left-turn pocket for the middle driveway to the site. Angled parking along the project site frontage on Halford Avenue was being considered when the DEIR was written. The Engineering Division has now decided that only parallel parking will be allowed.
2. The City of Santa Clara / Silicon Valley Power underground electric system will be required to be upgraded to serve the project. This will include a new underground connection across El Camino Real (SR 82). The Cultural Resources mitigation measures have been amended to include the State requirements for work within the State right-of-way. See Text Amendments to section III. E. Cultural Resources.
3. The sidewalk planned along Halford Avenue is 10 feet wide. Crosswalk enhancements will be considered by the Engineering Division during project development review to enhance pedestrian access in the area.

the site plans provided in the DEIR appear not to show the sidewalk layout and street crossings around the perimeter of the project site. Drawings previously reviewed for the Santa Clara Square rezoning application seemed to show sidewalks only 5 or 6 feet wide along the east side of Halford. Consider placing a wider sidewalk along the east side of Halford Avenue with enhanced crosswalks connecting the project site to neighborhoods to the west. In order to connect residences to the south of the new development, the provision of a pedestrian pathway between Sarita Way and the project site should be considered. Also, consider working with the Department on potential enhancements to crosswalks on El Camino Real adjacent to the project site. Such treatments have the potential to provide a comfortable and inviting environment for pedestrians by encouraging travel to and from adjacent neighborhoods, thereby decreasing impacts associated with vehicular trips.

4. Design

The project site is adjacent to and runs the entire length of the on-ramp to Lawrence Expressway N/B. As a safety measure, it is recommended that a visual barrier be provided to shield the on-going construction activities from traffic.

5. The Department would like to review this project again during the design phase to ensure that all horizontal clearances are in compliance with requirements of state and local agencies.

6. Encroachment Permit

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

See the website link below for more information.

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Additional comments, if any, from our Project Management and Hydraulics functional review branches will be forwarded to you as soon as they are received.

"Caltrans improves mobility across California"

4. A 6-foot-high solid construction fence that will serve as a visual barrier will be constructed along Lawrence Expressway. In addition, there are existing trees along the property line that screen the view of the site. Upon completion of construction, as a condition of approval the construction fence will be replaced with a permanent 8-foot-high chain link safety fence that will be ultimately covered with vines.
5. Final project plans will be sent to the California Department of Transportation for review.
6. An encroachment permit will be obtained from the State Department of Transportation for the underground electrical connection across El Camino Real (SR 82).

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

Mia Carboni

for TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Scott Morgan, State Clearinghouse

This Page is Intentionally Left Blank



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

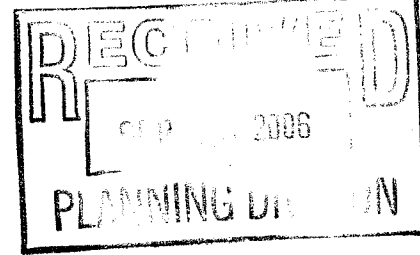


Sean Walsh
Director

30

30.

September 8, 2006



Douglas V. Handerson
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: Santa Clara Square (3700 El Camino Real)
SCH#: 2003122002

Dear Douglas V. Handerson:

- / The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 7, 2006, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures

cc: Resources Agency

Responses to **State Clearinghouse**

1. The comment is acknowledged. No response is required.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003122002
Project Title Santa Clara Square (3700 El Camino Real)
Lead Agency Santa Clara, City of

Type EIR Draft EIR
Description The project is a Planned Development rezoning application and variance application to allow a mixed use development of up to 490 residential units (including 10% affordable housing), up to 12,300 square feet of office space, up to 171,000 square feet of commercial/retail space and 1,672 parking spaces on approximately 12.6 acres at 3700 El Camino Real, the southwesterly quadrant of El Camino Real and Lawrence Expressway, in the City of Santa Clara. The 171,000 square feet of commercial/retail space includes 141,711 square feet of commercial/retail space (including the existing Kohl's store) that is currently on the site. A Development Agreement is also proposed.

Lead Agency Contact

Name Douglas V. Handerson
Agency City of Santa Clara
Phone (408) 615-2450 **Fax**
email
Address 1500 Warburton Avenue
City Santa Clara **State** CA **Zip** 95050

Project Location

County Santa Clara
City Santa Clara
Region
Cross Streets El Camino Real / Lawrence Expressway
Parcel No. 313-06-002 & 004

Township	Range	Section	Base
-----------------	--------------	----------------	-------------

Proximity to:

Highways 101, 280
Airports
Railways Caltrain
Waterways
Schools Santa Clara Unified
Land Use Retail Commercial / Community Commercial / Transit-Oriented Mixed Use

Project Issues Aesthetic/Visual; Air Quality; Geologic/Seismic; Landuse; Noise; Sewer Capacity; Toxic/Hazardous; Water Quality

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Department of Housing and Community Development; Office of Historic Preservation; Office of Emergency Services; Department of Fish and Game, Region 3; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Department of Toxic Substances Control; State Water Resources Control Board, Clean Water Program; Department of Health Services

Date Received 07/24/2006 **Start of Review** 07/25/2006 **End of Review** 09/07/2006

This Page is Intentionally Left Blank



47.

47

File: 29920
El Camino Storm Drain

September 11, 2006

City of Santa Clara
Attention: Douglas Handerson, AICP
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: Draft Environmental Impact Report for the Santa Clara Square Project

Dear Mr. Handerson:

The Santa Clara Valley Water District (District) has reviewed the subject document received on July 27, 2006.

The proposed project consists of demolition of existing commercial buildings and the construction of a mixed use development containing up to 490 residential units along with about 171,000 square feet of commercial/retail space. The following are District comments with respect to each category below:

/ Water Supply

The cumulative impacts section of the Draft Environmental Impact Report (DEIR) states that "the project would contribute to cumulative impacts on public services and facilities along with other projects throughout the city." Although the site falls 10 residential units short of requiring a Water Supply Assessment per Water Code Section 10910 (SB 610), please elaborate quantitatively (acre-feet of water) on the cumulative impacts of water supply demands by this development.

Cumulative impacts, as defined by CEQA, consist of two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. Cumulative impacts may result from individually minor, but collectively significant projects taking place over a period of time. Section 15130 of the CEQA Guidelines states that an EIR should discuss cumulative impacts, "when the project's incremental effect is cumulatively considerable, as defined in section 15065(c)." The discussion does not need to be as detailed as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the potential impacts which might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project.



Responses to **Santa Clara Valley Water District**

1. The project is estimated to require approximately 157 acre-feet of water per year. The City's current approved Urban Water Management Plan (UWMP), as adopted in 2005, and General Plan, as amended in 2002, projected increases in housing density that resulted in corresponding increases in water usage. According to the City's Water and Sewer Utilities Department, the increase in multi-family housing units associated with this project is consistent with these projections. Thus, there are adequate potable water supplies to meet the projected increase of approximately 157 acre-feet per year for this project.

2. Recycled Water

Although recycled water is currently not available on site, the District encourages the City of Santa Clara to contact West Valley Sanitation District and the South Bay Water Recycling Program to determine if recycled water is expected to become available in the future in this area. If so, we recommend that any new plumbing or modification to existing plumbing include the option of using recycled water.

Recycled water should be required for all new construction. This includes landscape irrigation, where appropriate, depending on quality, ornamental features, and potential toilet flushing. It is the District's understanding that this is consistent with the City's General Plan goals and we recommend maximizing recycled water usage. Please contact Mr. Hossein Ashktorab with the District's Water Use Efficiency Unit, at (408) 265-2607, extension 2291, for additional information on recycled water issues.

3. Water Conservation

The District recommends that all new residential and commercial development incorporate baseline water conservation measures as well as enhanced conservation as identified in our 2005 Urban Water Management Plan to the maximum extent practicable. This includes water-saving measures and the most current water-conserving technologies/practices available. In order to meet water supply goals for normal, single dry and multiple dry years enhanced conservation is required including, but not limited to:

- Construction standards that require high-efficiency fixtures (for example, high-efficiency washing machines and high-efficiency 1.2 gallons-per-flush toilets rather than the 1.6 gallon per flush as required by Code).
- Implementation of high-efficiency devices for outdoor water uses (such as self-adjusting weather-based irrigation controllers – also known as "Smart Controllers").
- Enforcement of the City's Model Efficient Landscape Ordinance (as per AB 325 1990).
- Metering or sub-metering for each individual unit.
- Dual plumbing for interior recycled water use.
- Promotion and use of low-water using and climate appropriate plants.
- Additionally, all new development should be in compliance with the Green Building Policies.

The above items should be addressed in the EIR.

Low-water use landscaping needs to be included in the mitigation measures with an explanation how reduction in landscaping water needs will be achieved. The EIR should specify the planting of water-efficient landscape materials, including climate-appropriate natives, wherever possible.

2. The nearest source of recycled water is approximately three miles from the site. The City of Santa Clara's Recycled Water Program with South Bay Water Recycling has evaluated the most cost-effective areas within the city to which to provide recycled water. There are currently no plans to extend recycled water to this area of the City. Plumbing for the future use of recycled water for landscaping will be discussed with the Water and Sewer Utilities Department and considered in the design of the project.

3. The comment suggests that the project should be in compliance with the District's UWMP. The City of Santa Clara is the water retailer providing water to this site and the City has a current approved UWMP. The project must comply with all water conservation requirements in the City's UWMP. The City also has an ordinance requiring water-efficient landscaping that the project must comply with.

Please contact Mr. Hossein Ashktorab with the District's Water Use Efficiency Unit, at (408) 265-2607, extension 2291, for additional information on the latest developments in water conservation.

4. Groundwater Management

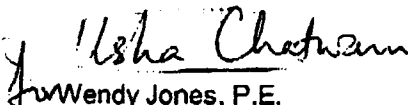
The DEIR states that the groundwater level is between 15 and 25 feet below grade as indicated by soil borings performed in September 2003. ~~September is usually a month of lower groundwater levels. Groundwater levels at the site during the rainy season may be considerably higher, therefore, construction dewatering is likely to occur. Also, there is an operational fuel service station at the corner of Halford Avenue and El Camino Real, noted to have been closed in 2004, adjacent to the project site. The District suggests that the nearby service station closure be evaluated to determine if construction dewatering could mobilize any contaminants which may be in the soil and/or groundwater.~~

The groundwater quality impacts due to storm water infiltration are not addressed. Water quality impacts of runoff due to surface water are addressed through the use of porous pavement and grassy swales to encourage infiltration on-site. These mitigation measures should be evaluated with respect to the highest possible groundwater elevations to determine the separation between the bottom of the mitigation measure and the top of high groundwater level.

Please contact Ms. Barbara Judd with the District's Groundwater Management Unit at (408) 265-2607, extension 2269, for additional information regarding groundwater management issues.

Thank you for allowing us the opportunity to review the DEIR for the subject project. If you have any questions or comments, please call me at (408) 265-2607, extension 3135.

Sincerely,


Wendy Jones, P.E.
Assistant Engineer
Community Projects Review Unit

cc: B. Goldie, S. Tippetts, B. Judd, E. Fostersmith, J. Crowley, M. Silva, U. Chatwani,
W. Jones, E. Hayes, File (2)

wj:mf
0911b-pl.doc

4. No underground construction is planned with the project; therefore, groundwater is not expected to be encountered and no dewatering will be required. Groundwater at the project site is at a depth of approximately 20 feet or greater. Any infiltration to that depth is not expected to have a significant impact on groundwater. The Fire Department closure reports for the former tanks that were removed at the existing service station are on file with the Santa Clara Valley Water District.

51.

51



Douglas V. Handerson, AICP
Associate Planner
Planning Division
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

September 11, 2006

Re: Santa Clara Square Response to Draft EIR

Dear Mr. Handerson:

Thank you for allowing the City of Sunnyvale to review the Draft Environmental Impact Report for the proposed Santa Clara Square project at 3700 El Camino Real. The Planning Division of the Community Development Department has reviewed the Draft EIR, along with the Traffic and Transportation Division of Public Works, and have the following comments:

A. Aesthetics:

1. The 8 story (95 foot) buildings proposed to be located in front of the existing Kohls' building would be substantially higher and denser than other buildings along El Camino Real in either Santa Clara or Sunnyvale. The EIR should mention what the heights and scale of other buildings in the vicinity are in order to give the context of the project.
2. The EIR states that aesthetic qualities are highly subjective, and then avoids any further discussion of the size and scale of the project. A more accurate discussion would be to discuss the project and its impacts on the immediate area, specifically on the El Camino Real corridor. There are no other buildings with the same degree of massing and scale in the area.

J. Land Use Planning:

1. The EIR concludes that the project would be compatible with the surrounding area with the incorporation of design elements such as providing entry points, by designing on-site circulation to minimize off-site traffic congestion and by providing lowered building massing along the property closest to existing residential developments. The EIR does not,

Responses to **City of Sunnyvale**

A-1 & 2. The comment is acknowledged. See text amendments to section III. A. Aesthetics.

J-1. The comment is acknowledged. See text amendment to section III. J. Land Use and Planning.

however, discuss the compatibility of the project with other uses along El Camino Real in Santa Clara or Sunnyvale. The project includes buildings eight stories and 95 feet in height, which is much more intense than any other development along the corridor.

2. A mixed-use project of this scale should be more closely tied into El Camino Real, especially considering the possibilities as described in the Sunnyvale El Camino Real Precise Plan update and the area-wide Grand Boulevard initiative. Options include designing transit facilities into the project design and pedestrian-oriented buildings, especially along El Camino Real. These two planning documents should be reviewed as part of the Land Use and Planning section of the EIR to determine the compatibility with both the adjacent city and area-wide planning initiatives.

L. Public Services:

1. The Parks and Recreation Setting describes the nearby City of Santa Clara and Sunnyvale parks available to residents of the proposed project, but the Impact and Mitigation section only discusses those parks within the City of Santa Clara. There should be a discussion of the impact that 490 homes at the proposed site would have on the parks located within the City of Sunnyvale.
2. The amount of on-site open space and recreation does not appear to remove the need for use of a larger park area. Does the amount of usable open space located on site meet the requirements of the City of Santa Clara?

M. Transportation/Traffic:

1. Long range traffic forecasts show that Lawrence Expressway will have a number of deficient intersections in future years. The City of Sunnyvale would like to be assured that a portion of transportation impact fees paid to the City of Santa Clara by the applicant will go towards Santa Clara's fair share of the required improvements along Lawrence Expressway.
2. Please explain why a lower than average trip generation rate was used for the residential trip generation.
3. Transit capacity was considered in the TIA, but possible improvements to transit access seem to be overlooked. Please consider improvements to bus stop access, amenities and signage.
4. It appears that during the PM peak, the project will add more than 10 trips per lane to Poplar/El Camino Real and Henderson/El Camino Real intersections. Why were these intersections not included as study intersections?

General Comments:

1. Please notify the following neighborhood organizations of any public hearings or meeting related to the project (contact information available from the City of Sunnyvale):

- J-2. The project fronts onto El Camino Real with a 33-foot-wide sidewalk. Access to the sidewalks and the bus stops located on El Camino Real at Halford Avenue is provided by sidewalks along the driveway that runs down the center of the project. The proposed project is consistent with a majority of the Guiding Principles of the Grand Boulevard Initiative along El Camino Real. This development is also consistent with parts of the Sunnyvale El Camino Real Precise Plan, as recently revised:. Santa Clara Square is a Mixed Use development at a “Node” location, a major intersection with transit connections; and it is located at a Gateway to both cities and provides a unique identity and sense of place for this location at the edge of the cities.
- L-1. The comment is acknowledged. See text amendment to section III. L. Public Services.
- L-2. The amount of open space within the project (approximately 13,600 square feet on the podium of Building II, 17,600 square feet on the podium of Building V, and 19,300 square feet on the podium of Building VI) is adequate according to the Director of the City of Santa Clara Parks and Recreation Department. Under standard calculations, all new housing units affect a persons-per-acre parkland calculation, such that onsite amenities are required to minimize impacts on existing park facilities in the project vicinity.
- M-1. As described in section III. M. Transportation / Traffic, the project would not have a significant impact at any of the 10 intersections on Lawrence Expressway that were analyzed. The City of Santa Clara does not collect traffic impact fees unless they are required for a specific mitigation measure.
- M-2. The trip generation forecast procedure is described in the Traffic Impact Analysis in Appendix B, Technical Appendix. Trip generation estimates for the project were developed with the assistance of City of Santa Clara staff and the use of rates contained in *The Institute of Transportation Engineers (ITE), 7th Edition Trip Generation Manual*. As is typically done, the equations presented in the ITE manual were used to estimate trip generation for the project. The use of the equations, rather than the presented average rates, provides for a more accurate representation of trip estimates for specific land uses sizes. Though the average rate is higher than the rate calculated with the use of the equation, it does not accurately reflect surveyed trip generation patterns. The equation identifies a specific rate based on the size of the development, and in most cases the rate decreases slightly as development size increases.
- M-3. The comment is acknowledged. Transit access amenities and signage will be considered in the project development.

- Birdland Neighbors
- Raynor Park Neighborhood Association

2. It appears that many of the reports and studies cited in the EIR are three years old or more. Are the determinations and results of these studies still accurate?

Thank you for the opportunity to comment on the EIR. Please let me know if you have any questions about the items raised in this letter. You can reach me at 408 730-7707, or at aminer@ci.sunnyvale.ca.us.

Sincerely,



Andrew Miner, AICP
Principal Planner

- M-4. The trip distribution and assignment procedures are described in the Traffic Impact Analysis in Appendix B, Technical Appendix. The project trip assignment indicates a maximum volume of 36 peak hour trips along westbound El Camino Real during the p.m. peak hour at the intersection of El Camino Real and Halford Avenue. It is expected that project trips would begin to dissipate between Halford Avenue and Wolfe Road, resulting in less than 10 trips per lane per movement through the intersections of Henderson Avenue, Poplar Avenue and Wolfe Road with El Camino Real.
- GC-1. The Birdland Neighbors and Raynor Park Neighborhood Association will be notified for all project meetings.
- GC-2. The environmental review process for the project began over four years ago when the application was filed on December 12, 2003. There have been several delays in the process. The air quality, tree, archaeology, geotechnical, Phase I, and noise reports have all been reviewed by the respective consultants and City staff and they all adequately address the respective conditions and project impacts. The City Traffic Engineer has reviewed the traffic analysis and determined that it also adequately reflects the current traffic conditions and project impacts. The traffic counts were verified, and found to be satisfactory by the City Traffic Engineer. See the traffic count validity memo by Hexagon Transportation Consultants, Inc. in the Appendix.

September 11, 2006

City of Santa Clara
Department of Engineering
1500 Warburton Avenue
Santa Clara, CA 95050

Attention: Douglas Handerson

Subject: Santa Clara Square

Dear Mr. Handerson:

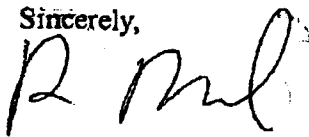
Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for a mixed use development of up to 490 residential units and 171,000 square feet of commercial/retail development on 12.6 acres at the southwest corner of El Camino and Southwest Expressway. We have the following comments:

Bicycle Parking

- / VTA recommends that the project include 174 Class I bicycle parking spaces (bike lockers) and 35 class II bike parking spaces (bicycle racks), based on VTA's *Bicycle Technical Guidelines*. The bicycle racks should be located in a visible location either within the entry plaza or within 50 feet of the main public entrances. The *Bicycle Technical Guidelines* provide additional guidance on estimating supply, siting and design for bicycle storage facilities. Contact Michele DeRobertis at (408) 321-5725 for a copy of these guidelines.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

RM:kh

cc: Samantha Swan, VTA
SC0304

Responses to **Santa Clara Valley Transportation Authority**

1. The comment is acknowledged. The recommendations and the Bicycle Technical Guidelines will be considered in the project design. Bicycle parking facilities will be included on the exterior of Buildings I, III and IV, and within the parking garage for Buildings II and V.

DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454 TDD

59



Please use recycled paper.
Be energy efficient!

59.

October 19, 2006

SCL-082-14.43
SCL082351
SCH 2003122002

Mr. Douglas V. Handerson
City of Santa Clara
1300 Warburton Avenue
Santa Clara, CA 95050

Dear Mr. Handerson:

Santa Clara Square - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. This letter supplements our letter dated September 7, 2006.

/ **Hydraulics**

Appendix B contains flow calculation errors that incorrectly show that an existing 15 inch culvert is adequate. Errors include incorrect Manning's N which should be 0.023 for corrugated metal pipe (CMP), not 0.012, shed area should be 12.6, not 9.59 acres and time of concentration for post-project case. The last value should be the average fall pipe flow velocity (or assume 3 feet per second) and not the overland flow velocity.

Additional comments, if any, from our Project Management functional review branches, will be forwarded to you as soon as they are received.

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

Responses to **California Department of Transportation**, October 19, 2006

1. The site drainage area is divided into two areas: 9.59 acres that drain to El Camino Real and 2.5 acres that drain to Halford Avenue. Manning's "N" is a coefficient based on the roughness of the pipe material that is used in Manning's equation to evaluate flow in open channels, which includes non-pressurized pipes. If the Manning's "N" value is changed, then theoretically, the existing pipe size would have to be changed from 15 to 18 inches to handle the existing runoff. Since the existing pipe appears to work satisfactorily under existing conditions and since, as described in section III. I. Hydrology and Water Quality, the project design increases the pervious area on the site and reduces runoff, there is no need to reevaluate or to change the pipe size.

IV. MASTER RESPONSES

This section includes master responses to address comments that were raised repeatedly on the following topics. The number of the letters that commented on the topics are listed in the Comment Letter Matrix, and following each comment. Page numbers indicated throughout this Amendment refer to the Draft EIR.

- A. Aesthetics**
- B. Air Quality**
- C. Biological Resources**
- D. Land Use and Planning**
- E. Noise**
- F. Notification**
- G. Parking**
- H. Project Schedule**
- I. Public Services**
- J. Transportation / Traffic**
- K. Utilities and Service Systems**

List of Commenters

1.	County Roads and Airports Department , Rajuca Nitescu	A-7
2.	Gary & Patricia Scarsdale, 3712 Europe Court	A-57
3.	Gary Vernik, 1363 Sarita Way	A-61
4.	Danny Hahn, 3722 Europe Court	A-65
5.	Sarvesh Mathur, 3757 Adriatic Way	A-67
6.	Michele & Keith Miyasaki, 3748 Adriatic Way	A-71
7.	Carrie Walters & Michael Clapperton, 1337 Halford Avenue	A-75
8.	Raj & Charu Khanna, 3737 Adriatic Way	A-77
9.	Vincent Lum, 1341 Casa Court	A-81
10.	Chong Teoh & Cheng-Tse Fu, 3615 Brach Way	A-85
11.	S. Prasads, Europe Court	A-89
12.	Chungman Ho, 1362 Casa Court	A-93
13.	Dr. William J. & Judy L. Murray, 1326 Karina Way	A-97
14.	Linda McClure, 3713 Europe Court	A-101
15.	Bill Hesley, 3719 Europe Court	A-105
16.	Mario Mere, 3681 Brach Way	A-109
17.	Kathryn L. & Herbert D. W. Ebhardt, 1316 Karina Way	A-113
18.	Russell Ryono, 1373 Sarita Way	A-117
19.	Jill Lipari, 1572 Peacock Avenue, Sunnyvale	A-121
20.	E. J. Wright, 1414 Sarita Way	A-123
21.	Ivonne Zelaya, 1338 Thunderbird Avenue	A-127
22.	Charles H. Moss, 1062 Castleton Way, Sunnyvale	A-129
23.	Norval Nelson, 1099 Bryant Way, Sunnyvale	A-131
24.	Martin Blatner, 3683 Europe Court	A-135
25.	Ron Eckert, 1370 Sprig Court, Sunnyvale	A-137
26.	Lorraine May, 1143 Cotswald Court, Sunnyvale	A-141
27.	California Department of Transportation , Timothy C. Sable	A-9
28.	Murali V., 1396 Gazdar Court	A-147
29.	Derek Jewhurst, 3605 Brach Way	A-149
30.	State Clearinghouse , Terry Roberts	A-15
31.	Aaron Weiner, 1332 Casa Court	A-153
32.	Carol & Steve Peluffo, 1055 Bryant Way, Sunnyvale	A-157
33.	Charlie Zhong	A-159
34.	Maria J. Bardach, 1309 Karmen Court	A-161

35. Casa del Rey Homeowner's Assn., Halford Avenue between Burnley Way & Lillick Drive	A-163
36. Ildiko B. Dihen, 1360 Road Runner Terrace #D, Sunnyvale	A-171
37. Kathie Dunnam, 1359 Thunderbird Avenue, Sunnyvale	A-173
38. Michael & Deborah Farmanian	A-177
39. Savitha Gandikota, Sunnyvale	A-179
40. Doug Hosking, 1315 Karmen Court	A-181
41. Colin McCracken, 1309 Karmen Court	A-193
42. Loretta Beavers & Keith Stattenfield, 1395 Gazdar Court	A-195
43. Stan Tsu	A-201
44. Janice & Roy Wolf, 1360 E Roadrunner Terrace, Sunnyvale	A-205
45. Everett Zelaya, 1338 Thunderbird Avenue, Sunnyvale	A-207
46. Michael RK & Sukanya K Alley, 751 Lillick Drive	A-209
47. Santa Clara Valley Water District , Wendy Jones	A-19
48. Angelo Margozi, 1357 Turnstone Way, Sunnyvale	A-211
49. Lorraine May	A-213
50. Eileen McGough	A-215
51. City of Sunnyvale , Andrew Miner	A-25
52. Valley Transportation Authority , Roy Molseed	A-31
53. John T. Reagan, 635 Brach Way	A-217
54. Rudy Siri, 1058 Castleton Way, Sunnyvale	A-231
55. Gordon Wilson, 1334 Spoonbill Way, Sunnyvale	A-233
56. Scott Kidney, 1349 Thunderbird Avenue, Sunnyvale	A-235
57. Tappan G. Merrick, 1091 Firth Court, Sunnyvale	A-239
58. Michele Maresca, 3745 Adriatic Way	A-247
59. California Department of Transportation , Timothy C. Sable	A-33

A. AESTHETICS

Following are the general comments that were made on aesthetics, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. 8-story structures will block views / light (2, 3, 7, 11, 14, 20, 29, 46, 53, 58)

Distant views from the existing residences will change; however, they are already partially blocked by trees, and more trees will be added. The view to the hills surrounding the Valley would be blocked by any development of one-story or greater along Halford Avenue; the development of the eight-story building would not increase the impact to views over that of any other building height. The project will not have a substantial adverse effect on a public scenic vista.

The proposed buildings are located north of existing residential units and, as shown on the following Shadow Diagrams, shadows from the buildings would never shade the adjacent residential area and would not block light to the units. The proposed buildings would be visible from the second-floor levels of the existing residential units, although the views would be fully or partially screened by the existing and proposed trees, as shown in the following photographs. Additional trees are proposed to fill in the empty spaces. The proximity of a mature tree screen will affect extended views to a similar degree as multi-story structures.

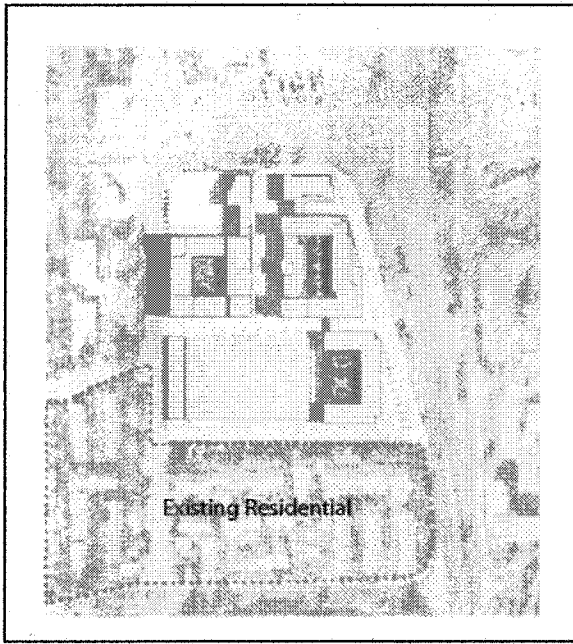
2. The project will cause an adverse visual impact (2, 6, 7, 9, 13, 14, 29, 32, 39, 48, 50, 53, 58)

The Conceptual Future Views, included in the Text Amendments, show existing views of the site and future views upon completion of the project.

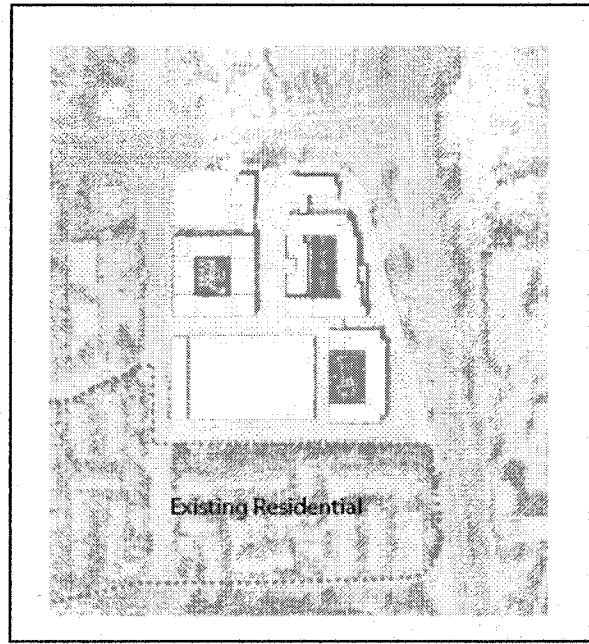
As stated on page 34 of the Draft EIR, judgments regarding aesthetic qualities are highly subjective and vary from one person to the next. The Planned Development zoning procedure that the project must go through requires the submittal of detailed architectural and landscape plans for review and approval by the City. The visual quality of the project would be one of the criteria in that review.

3. 8-story structures are incompatible with the neighborhood and with the City, and the project is too cramped and crowded (2, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 31, 34, 35, 37, 40, 41, 42, 43, 44, 45, 48, 56)

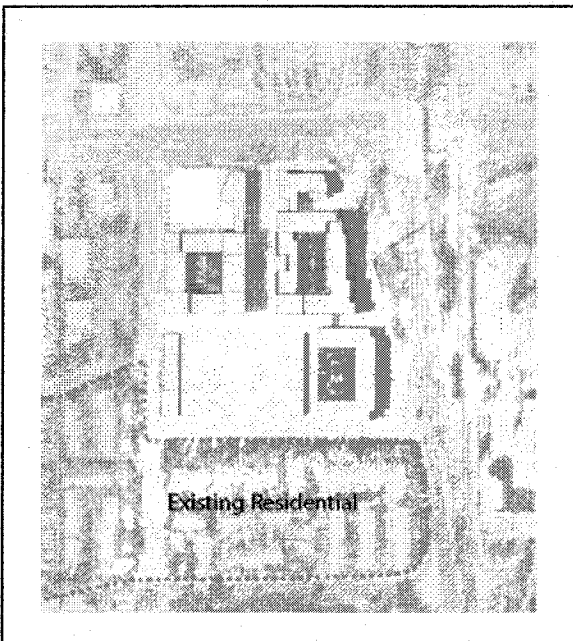
As stated on page 64 of the Draft EIR, the existing General Plan land use designation for the project site is Transit-Oriented Mixed Use, with 26 to 45 du's/ acre and up to 99 persons/acre. This designation is intended to encourage higher density residential development in conjunction with commercial development or redevelopment. For sites where adjacent properties are designated single family, total building height should not exceed three stories including parking, within 50 feet of an adjacent single family property. The proposed project is adjacent to a Moderate Density Residential site that is a higher density than single family. While the Transit-Oriented Mixed Use designation does not address any restrictions for higher density residential,



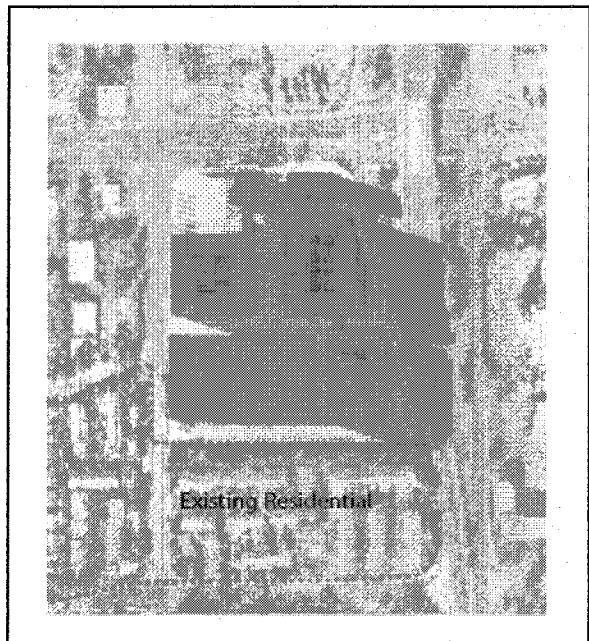
9:00 a.m.



Noon



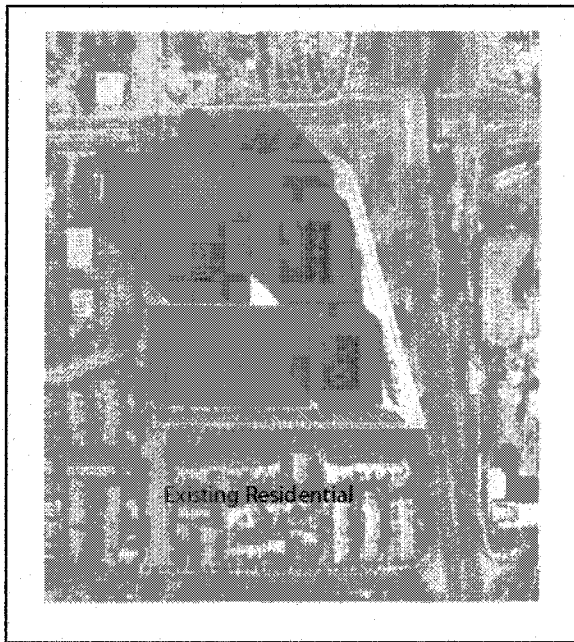
3:00 p.m.



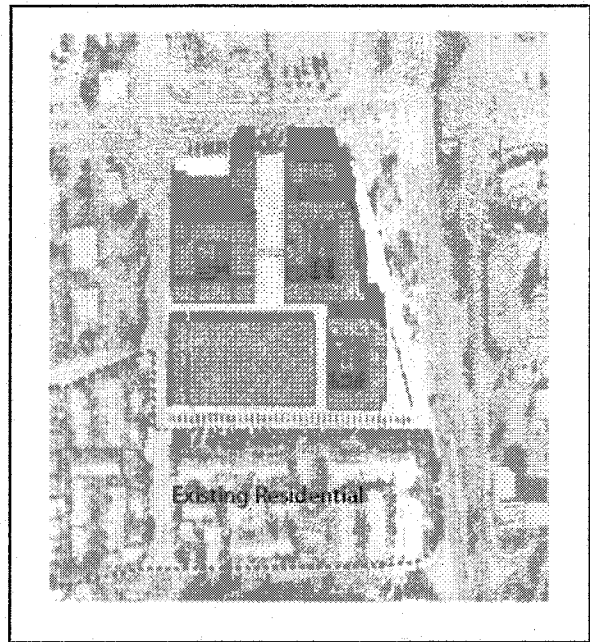
6:00 p.m.

■ Shadow

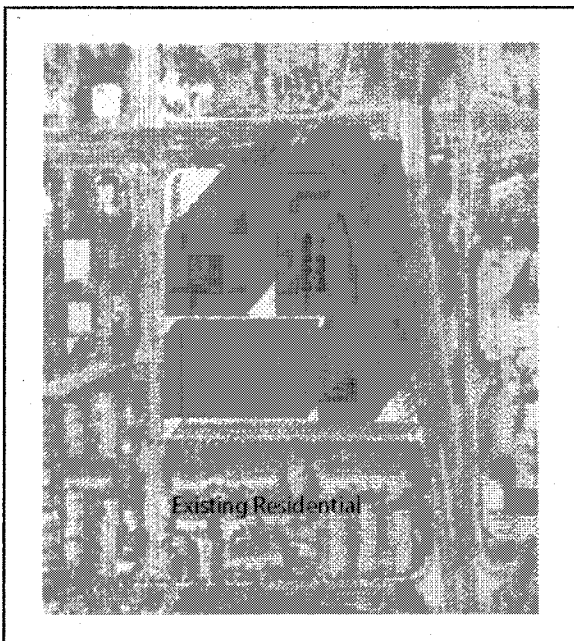
Shadow Diagrams – Summer



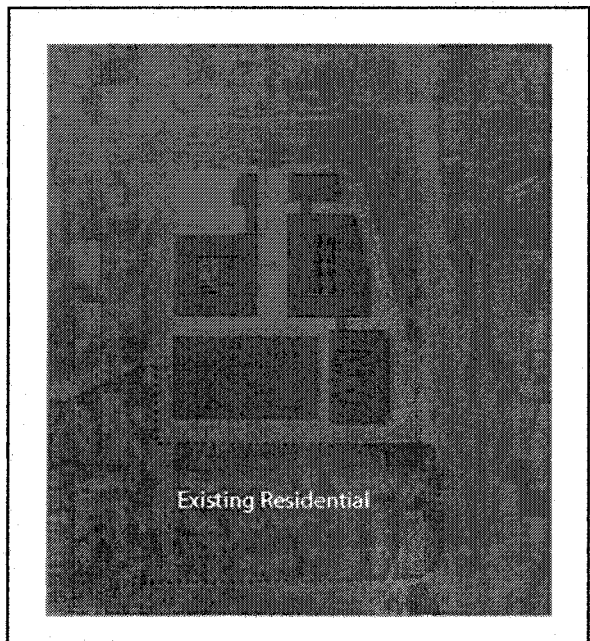
9:00 a.m.



Noon



3:00 p.m.



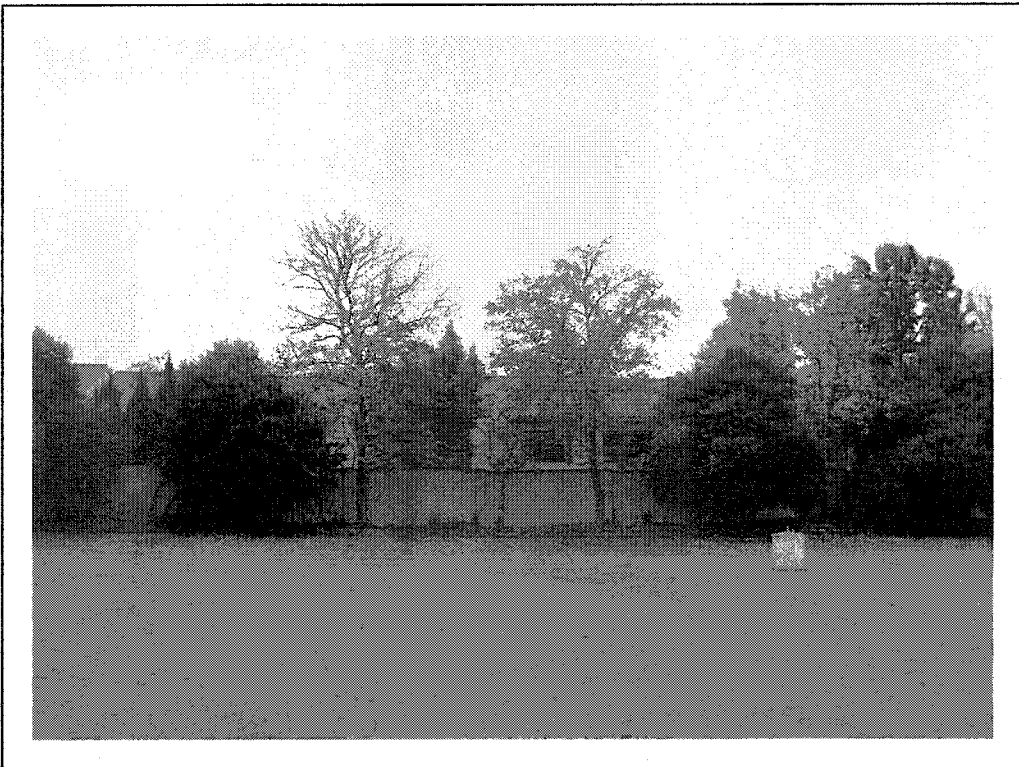
6:00 p.m.

■ Shadow

Shadow Diagrams – Winter



Existing trees.



New trees will be added here.

Southerly Boundary

it is presumed that the restrictions would not be greater, i.e., less than 50 feet. The proposed project is located 53 feet from the nearest residential properties in the Casa del Valle development to the south, and there is a total of 83 feet between the existing residential buildings and the Santa Clara Square buildings, as proposed. In addition, the proposed project is screened by a row of existing and proposed trees along the southerly residential property line.

4. Development will cause additional light and glare (14, 24, 40, 58)

As stated on page 35 of the Draft EIR, downward-directed lights with low elevation standards in the parking areas will be provided in order to prevent offsite light and glare. Downward-directed lights will also be provided on the back of the Kohl's building. The exterior materials of the buildings will not be reflective and the limited number of windows on the upper floors of the southerly elevation would not cause excessive light or glare. Also, the sun angles would likely not reflect glare to nearby homes from the residential windows; and the tree screen would block any reflection.

5. Construction mess/litter will increase, and debris should not be visible from public streets or existing communities (20, 29, 53)

As stated on page 35 of the Draft EIR, public streets that are impacted by project construction activities will be swept and/or washed down daily; and debris, rubbish and trash will be cleared from any areas onsite that are visible from a public street. Compliance would be monitored by City construction inspectors and non-compliance could be reported to the City by area residents.

6. Replacement trees might not blend with existing trees in neighborhood (29, 53)

The comment is noted. The trees will be reviewed upon submittal of landscape plans as part of the Planned Development zoning procedure to ensure that they are compatible with, and blend with, the existing trees.

B. AIR QUALITY

Following are the general comments that were made on air quality, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. More traffic will cause more pollution (2, 3, 5, 7, 9, 10, 11, 12, 13, 14, 17, 24, 25, 31, 33, 39, 46, 48, 50, 53, 58)

A comprehensive evaluation of the project's air quality impacts, consistent with the requirements of CEQA, was provided in section III. C. Air Quality, pages 37-41 of the Draft EIR. The air quality assessment acknowledges that there would be increases in air quality emissions. Motor vehicles are the primary source of air pollutant emissions associated with the project, and the analysis shows that the impacts at major intersections would not change or only increase by 0.1 ppm. Impacts adjacent to the project site and on neighborhood streets such as Halford Avenue would be less and would not exceed Federal or State standards. Transit-oriented development is intended to site residential densities on transit corridors to encourage a reduction in vehicle trips.

2. Construction will cause dust / pollution (3, 11, 14, 20, 25, 29, 33, 35, 40, 43, 53, 58)

As stated on page 41 of the Draft EIR, the project would produce short-term fugitive dust as a result of soil movement and site preparation and that it is a potential significant impact that requires mitigation. A Construction Air Quality Plan is recommended for dust control and suppression. The requirement for the plan is part of the project conditions of approval. Compliance with the plan would be monitored by City construction inspectors and non-compliance could be reported to the City by area residents.

C. BIOLOGICAL RESOURCES

Following are the general comments that were made on biological resources, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. Fewer trees should be removed / trees along Halford Avenue and the southerly site boundary should not be removed (4, 8, 40, 58)

Clarifying pages 44-45 of the Draft EIR, approximately 90 trees along the southerly and easterly site boundaries are planned to be retained with the project. Any tree that is removed would be replaced with the addition of new trees to the maximum extent feasible on the site. Where trees along the southerly property line are missing or diseased or in poor condition, they will be replaced. Additional trees are planned to be added as part of the project landscaping.

The row of Canary Island Pine trees located along Halford Avenue, which were originally planted to screen the auto service bays of a previous use, are to be removed. A two-story retail/office building is planned at that location, and new trees will be planted along the street frontage. The row of trees along the southerly property line are not planned to be removed, as shown on the Existing Trees table and Trees to be Removed map in the Technical Appendix of the Draft EIR. See Text Amendments.

D. LAND USE AND PLANNING

Following are the general comments that were made on land use and planning, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. The density is too high (2, 6, 7, 8, 13, 14, 15, 16, 20, 24, 25, 32, 34, 35, 37, 40, 42, 43, 44, 53, 56)

8-story buildings incompatible in area (4, 7, 9, 12, 14, 16, 17, 18, 20, 35, 40, 41, 42, 43, 44, 45, 48, 53, 56)

No precedent for this type of use in the area (2, 6, 9, 42)

In order to respond to these comments some background information is necessary. The City of Santa Clara updated its Housing Element in 2002 to comply with State requirements, Association of Bay Area Government (ABAG) fair share numbers, and to move towards a jobs / housing balance. In 2002, the General Plan Land Use Element was updated so that it was compatible with the Housing Element and on July 23, 2002 the City Council adopted changes to

the Land Use Element for a total of 72 sites in the city. The majority of the sites (40) are located on El Camino Real where the number of housing units was increased from approximately 240 existing units to a capacity for approximately 5,900. In addition, the City Council approved the following Transit-Oriented Mixed Use land use designation:

Transit-Oriented Mixed Use

“Twenty-six to 45 du/acre and up to 99 persons/acre. This designation is intended to encourage higher density residential development both in close proximity to multiple transit lines and in conjunction with commercial development or redevelopment.

For sites with approximately a one-acre or larger lot, this designation is intended to encourage high quality mixed use development which includes residential uses, accessible separately from adjacent commercial or office uses. For sites where adjacent properties are designated single family on this Plan, total building height should not exceed three stories including parking, within fifty feet of an adjacent single family property.

Application of this designation would be based on transit services and surrounding land uses.”

Several study sessions and public hearings were held prior to these actions.

As part of the above action, the land use designation on the project site was changed from Commercial to Transit-Oriented Mixed Use (26 – 45 du/acre) with a capacity for 567 units.

The proposed project is designed in accordance with the Transit-Oriented Mixed Use designation as follows:

- The density is 38.8 du/acre.
- The population density is 97 persons/acre.
- The project is adjacent to three transit lines located on El Camino Real and one on Lawrence Expressway.
- Commercial retail and office development are proposed with the project.
- The project is high quality.
- The project site is not adjacent to property with a single family land use designation as the adjacent property to the south is designated Moderate Density Residential.

The proposed project is not initiating a change in the land use designation on the site, but is implementing a change in land use that was made by the City Council over four years ago in 2002.

While the density is higher than the adjacent and nearby properties, the project site is located adjacent to a major thoroughfare – El Camino Real – to the north, an expressway – Lawrence Expressway – to the east and commercial uses to the west across Halford Avenue. The residential townhomes to the south of the site are two-story structures that are separated from the project by an 8-foot masonry wall and a row of 20- to 40-foot-tall trees. There are some gaps in the trees; additional trees are planned as part of the project along this boundary to fill in where trees are missing.

Building I is a two-story retail commercial / office building located on Halford Avenue. Building I is set back the same distance as Kohl's from the southerly property line. Building VI, which is three levels of residential over three levels of parking, is the southerly residential building on the project site. It is set back approximately 53 feet from the property line as shown in the following cross-section. This is a greater distance than would be required if the adjacent land use designation was single family. There are 25 townhomes that back up to the southerly property line: 11 of them along the easterly section would be directly south of Building VI; the other 14, on the westerly section, back up to Kohl's and would be over 400 feet from the 8-story buildings (II and V) to the north.

2. Privacy will decrease (5, 12, 13, 14, 15, 18, 20, 29, 37, 40)

Views from the residential units in Building VI will be able to look down toward the residential area to the south, but the views will be fully or partially screened by the row of 20- to 40-foot-tall trees along the property line. Building VI has also been redesigned to remove the units on the top floor that could look down into the adjacent properties in order to provide visual protection for those properties. The new terrace will prevent residents from looking down into the adjacent properties.

3. Home values will decline (2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 20, 29, 31, 34, 53, 58)

The comments on lower home values are noted; however, according to the CEQA Guidelines §15358(b), effects analyzed in an EIR must be related to a physical change in the environment. Social and economic impacts, such as changes in real estate values, are not considered environmental effects under CEQA and are not required to be evaluated as part of an Environmental Impact Report.

4. Commercial/office uses within the project may be objectionable (29, 35, 38, 40, 43, 53, 58)

While the precise businesses that will be located on the site are not known at this time, they will be governed by the following project conditions:

"All uses contemplated as part of this Mixed Use Project shall be operated so as not to be objectionable or detrimental to adjoining commercial and residential tenants and adjacent residential and commercial properties. Permitted uses shall be those that are consistent with Community Commercial (CC) uses and/or determined by the Zoning Administrator to be similar in nature or compatible with residential uses, except as provided below:

Nonpermitted Uses

Uses not permitted are those found to adversely impact adjoining commercial and residential tenants and adjacent residential and commercial properties, and include but are not limited to:

- Auto related activities – such as auto rental, repair, maintenance, storage, service, accessory sales and accessory installations*
- Motorcycle sales and service*
- Incidental storage and accessory uses, including repair operations*



Existing Townhomes Cross-Section

- *Music studio*
- *Dance club*
- *Catering service*
- *Lodges, clubs*
- *Drive-thru facility*
- *Laundromat*
- *Indoor amusement, such as pool hall, arcade, karaoke*
- *Research laboratories and testing offices*
- *Manufacturing or processing of any kind*

Conditional Uses

A Use Permit shall be required for the following activities and uses determined by the Zoning Administrator to be similar in nature:

- *Restaurants serving alcoholic beverages*
- *Restaurants with outdoor seating in excess of 12 seats*
- *Outdoor display, incidental to a permitted use*
- *Day spa, salon*
- *Cocktail lounge, bar, tavern*
- *Live entertainment*

E. NOISE

Following are the general comments that were made on noise, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

- 1. Ambient noise in the neighborhood will increase** (2, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 20, 29, 33, 39, 40, 56, 58)

A comprehensive evaluation of the project's noise impacts, consistent with the requirements of CEQA, was provided in section III. K. Noise, pages 67-73 of the Draft EIR. Adjacent and nearby residents are currently affected by the existing traffic noise levels, primarily from El Camino Real and Lawrence Expressway, that are identified in the report. The project would not significantly increase existing noise levels; in fact, the project buildings would actually help reduce noise levels to the west by shielding noise from Lawrence Expressway.

- 2. Noise from project traffic / parking** (2, 6, 8, 10, 13, 20, 24, 31, 35, 40, 42, 43, 48, 56, 58)

A new gate will be installed on the southerly driveway near Halford Avenue, as shown on the revised Site Plan. The gate will only be opened for deliveries and emergencies, and there will be no through traffic.

- 3. Noise due to the parking structure** (13, 29)

As stated on page 71 of the Draft EIR, the existing residences adjacent to the southerly portion of the site are currently exposed to vehicle noise from traffic along Lawrence Expressway and intermittent noise from trucks and cars accessing the existing parking lot. The proposed parking/housing structure has two, partially offsetting, effects on noise:

- Vehicle noise in the garage may be audible at the nearest residences.

- The structure will provide some shielding from vehicle noise on Lawrence Expressway for the existing residences.

Mitigation measures for noise from vehicles in the parking areas of Building VI near the southerly property line are recommended on page 72 of the Draft EIR and included as conditions of approval.

4. Construction noise (5, 11, 17, 25, 29, 33, 35, 40, 43, 53, 58)

Noisy construction operations hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, as stated on page 73 of the Draft EIR, are limited by Santa Clara City Code Section 9.10.230, that applies to all construction projects in the city that are within 300 feet of any residentially-zoned property. In addition, if pile driving is necessary, pile driving construction hours will be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday, with half-hour breaks every three hours, and no pile driving on weekends. See Text Amendments to section III. K. Noise. Compliance with the hours would be monitored by City construction inspectors, and non-compliance could be reported to the City by area residents.

5. Car alarm noise will be a problem (14, 29, 40, 53)

Building VI, which is located closest to the Casa Del Valle development, will be provided with solid screening on the rear elevation of the parking structure to reduce potential noise impacts associated with car alarms and vehicle noise. The design of the screening will be reviewed and approved as part of the development approval. According to the Santa Clara Police Department, car alarm incidents in the City are not a big problem and calls involving them are few and far between. When they do occur, they are mainly in unsecured lots at the car dealerships on Stevens Creek Boulevard. If a car alarm goes off and the owner does not deactivate it, a citizen can call the police department. If the police cannot locate the owner and get the alarm turned off, they can have the vehicle towed. Because of their infrequency, although it would of course be disturbing at the time to those affected, car alarm noise would not be a significant impact.

F. NOTIFICATION

Following are the general comments that were made on notification, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. Live nearby but received no notice / 300-foot rule not enough / Sunnyvale residents not notified (22, 33, 49, 54, 55)

In accordance with State law, all property owners within 300 feet were notified, irrespective of the City in which they live. The City of Sunnyvale provided email addresses and phone numbers for two resident associations, but no mailing addresses. They were both contacted by email and phone for addresses; however, no response was received. Addresses for Birdland Neighborhood Association and Raynor Park Neighborhood Association were obtained on November 30, 2006 and they have been added to the list for future notices. Although mailing addresses were not

requested on sign-in sheets from those who attended the neighborhood meeting on November 14, 2006, email addresses and phone numbers are being used by City staff to obtain mailing addresses for future notices.

2. Casa del Rey should get noticed for Use Permits, same as Santa Clara Square (35, 40, 43)

Surrounding property owners will be notified, as required, regarding use permits on the project site.

G. PARKING

Following are the general comments that were made on parking, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. Not enough parking spaces provided – overflow parking onto neighborhood streets (2, 4, 5, 7, 9, 10, 12, 13, 14, 15, 17, 20, 24, 26, 28, 29, 31, 35, 37, 39, 40, 41, 42, 45, 49, 55, 57, 58)

The parking planned for the project is described in section I. C. Description, Parking / Circulation, pages 14-15 of the Draft EIR, which has been updated and amended. The number of parking spaces provided has increased from 1,672 to 1,762, but the 15 parallel spaces (formerly 50 diagonal spaces) along Halford Avenue are not counted as project spaces. The ground level of Building II and the ground and second levels of Buildings V and VI are designated for mixed-use parking for the retail and office uses and as guest parking for the residential units. The secured parking spaces for residential tenants only will be located on the second, third and fourth levels of Building II, the third and fourth levels of Building V and third level of Building VI.

The Zoning Ordinance Parking Regulations section requires that when there are mixed (multiple) uses on one site or in the same building, the parking provided shall meet Ordinance requirements for each of those uses. However, in keeping with the Transit-Oriented Mixed Use Zoning District (TMU District) principles that recognize the benefit of combining retail, residential and restaurants on transit lines, thus reducing trips and parking needs, the applicant is requesting that a parking reduction of 6 percent from the total required be granted. The reduced number of spaces is based on the fact that some people will use public transit, occupants of the residential units will shop at the site, and a percentage of visitors will likely stop at more than one place when visiting the site. However, since this project is not being processed as a TMU District project, a Variance to the total number of parking spaces is required in conjunction with the Planned Development zoning to approve the proposed reduction in parking from 1,876 spaces to 1,762 spaces. See Text Amendments to section I. C. Description.

There is a possibility of overflow parking, particularly onto Halford Avenue adjacent to the site and Burnley Way across from the site, especially during the Christmas Holiday season. Parking requirements are not designed for peak periods, as this would require excessive pavement and impervious surfaces. If overflow parking is a major concern after the project is occupied, residential permit parking restrictions could be considered.

While parking is always a concern, the slight reduction in the parking standard is not itself a significant environmental impact, and a potential decrease in the availability of on-street parking is not, in and of itself, a significant environmental impact either. Inadequate parking would be considered a significant environmental impact only where that lack of parking would result in a secondary physical impact that is significant and adverse; i.e., if the lack of adequate parking

resulted in a significant land use impact or in significant traffic, noise or air quality impacts. As indicated on page 65 of the Draft EIR, these types of impacts are not expected to occur as a result of the proposed project.

2. Not enough mass transit use to justify reduced parking (14, 20, 41)

High density projects such as the proposed project that are located along mass transit lines are designed to increase mass transit ridership. There are no known studies that correlate transit usage based on density or ownership.

3. Parking along southerly site boundary (8, 13, 40, 58)

The parking area at the rear of the project adjacent to the existing residential will be designed to have a gate closing off the driveway from Halford Avenue, except for truck deliveries, to prevent unrestricted through traffic in this area. This area will be designated for employee parking to reduce potential noise impacts.

H. PROJECT SCHEDULE

Following are the general comments that were made on the project schedule, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. No timetable for construction given (13, 14, 29, 53, 58)

The comments are acknowledged. No precise start and stop dates are known. The project will be constructed in phases, that are also described in the Development Agreement. See Text Amendments to section I. C. Description.

I. PUBLIC SERVICES

Following are the general comments that were made on public services, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

Schools

1. Generation of too many new students for already crowded schools (6, 12, 19, 26, 33, 35, 39, 40, 41, 42, 43, 44, 49, 50, 55, 57)

The original school research with the Santa Clara Unified School District was conducted in October, 2003. The District was contacted again in November, 2006 and the school capacity and student generation information was updated. Based on a 2004 District generation-factor study, the student generation from the project has been reduced from 250 to 54 and, according to the District, none of the schools is currently impacted. See Text Amendments to section III. L. Public Services.

As stated on page 75 of the Draft EIR, the generation of new students is not considered to have a significant physical impact on the environment, and is not required to be evaluated as part of an Environmental Impact Report. School impact fees to offset the increased demands caused by the proposed project on elementary and high schools and related facilities will be paid to the Santa

Clara Unified School District as a condition of project approval in accordance with California Government Code Section 65996. Under State law, the payment of school impact fees is considered to provide school facilities mitigation under CEQA.

Parks and Recreation

2. Not enough onsite recreation / open space (13, 35, 40, 42, 43)

As stated on page 14 of the Draft EIR, the project includes private open space/recreation facilities. Project amenities will include a children's playground (Building II), small picnic area with grass and shade trees (Building V), and fitness rooms. In addition, passive recreational opportunities will be provided in the landscaped podium courtyards of Buildings II, V and VI. The project meets City Parks and Recreation Department requirements for open space. See Text Amendments to section III. L. Public Services.

3. Increased use of area parks / school fields (26, 42, 55, 57)

The comments are acknowledged. As stated on page 76 of the Draft EIR, the project would increase the demand for public park facilities / school fields in the area. There is no way to quantify such usage. Increased public park usage is not a significant environmental impact unless new facilities are deemed to be required as a result of the project.

Fire Protection

4. Negative impact on fire protection (39, 40)

The project has been reviewed by the Fire Department through the project clearance process; and, according to the City Fire Marshal, it meets all of their requirements. The 22 to 26-foot aisle width along the back of the Kohl's building was approved by the Fire Marshal.

Police Protection

5. Neighborhood crime will increase (8, 15, 25, 28, 33, 39, 40, 58)

A police substation will be incorporated into the project to help serve the western area of the City. There is no evidence that there will be significant crime or safety issues caused by the project.

There will be private security onsite after sunset; and the owner of the commercial portion of the development and/or the homeowners association will step-up security to include daytime hours, as necessary, after consultation with the Police Department.

J. TRANSPORTATION / TRAFFIC

Following are the general comments that were made on traffic, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. Increased traffic in general (5, 8, 9, 11, 15, 16, 25, 32, 33, 38, 40, 44, 48, 49, 50, 55)

The comments are acknowledged. A comprehensive evaluation of the project's traffic impacts, consistent with the requirements of CEQA, was provided in section III. M. Transportation / Traffic, pages 77-89 of the Draft EIR.

2. Increased traffic along Halford Avenue (6, 10, 13, 17, 24, 29, 31, 34, 35, 40, 42, 43, 46, 48, 58)

Traffic volumes along Halford Avenue between El Camino Real and Lillick Drive would increase with the addition of project traffic. Halford Avenue, in its current configuration, serves a low volume of traffic and has the capacity to serve the projected traffic volumes of the proposed project. Halford Avenue is classified as a “collector” and is intended to serve as a link to major arterials and provide access to the adjacent properties. Some of the existing driveways serving the site will be reconstructed; however, the project is not proposing any additional access points.

Improvements to Halford Avenue will be made as part of the project development. Improvements include striping of southbound lanes to accept the dual left-turn lanes from El Camino Real and a raised median along the project’s Halford Avenue frontage.

3. Westbound El Camino Real to southbound Halford Avenue left-turn movement (4, 20, 34, 37, 40)

In addition to typical intersection level of service analyses, the operations of the intersection of Halford Avenue and El Camino Real were analyzed as part of an evaluation of site access because this intersection serves as the primary gateway to the project site. The operations analysis consisted of the evaluation of the projected vehicle queues at the intersection. Vehicle queues for the westbound left-turn movement were evaluated with the use of the TRAFFIX computer software to determine whether the provided storage capacity would be adequate to serve project-condition volumes. As stated on page 88 of the Draft EIR, the analysis indicated that the provided storage capacity for the westbound left-turn at El Camino Real and Halford Avenue would be adequate to serve project traffic. There is currently no striping on Halford Avenue for the two existing left-turn lanes from El Camino Real. The striping on Halford Avenue to accept each of the left-turn lanes will be provided by the project. The evaluation of operational and site access issues are not considered CEQA issues, nor are any identified operational deficiencies considered impacts; therefore, the striping on Halford Avenue is not a mitigation measure.

4. Increased traffic along neighborhood streets and near Laurelwood Elementary School (10, 13, 14, 17, 19, 20, 23, 24, 31, 34, 35, 39, 40, 41, 46, 56, 57)

The effects of project traffic on surrounding neighborhood streets were analyzed as part of the traffic impact analysis at the request of the City of Sunnyvale. The analysis consisted of travel time runs to evaluate the potential of cut-through traffic, or the use of residential streets to avoid congestion along the major roadways. The travel time runs indicated that the use of residential streets would result in no time savings for commuters. Though it can be expected that streets serving Laurelwood Elementary School will see an increase in traffic volumes due to residents of the project dropping off and picking up children, the increase in traffic would equate to no more than 10 peak hour trips along the residential streets (no more than 100 daily trips, or 7 percent of existing traffic volumes), which would be less-than-significant.

5. El Camino Real congestion and cut-through traffic along neighborhood streets (21, 23, 28, 35, 40, 43, 45, 53, 56, 57)

The comment refers to the potential increase in traffic volumes along the residential streets of Bryant Way, Thunderbird Avenue, and Burnley Way due to vehicles using the streets to avoid congestion along El Camino Real, west of Halford Avenue. This may be an existing concern in the City of Sunnyvale, which could investigate it and look at traffic-calming measures or whatever is needed to discourage cut-through traffic. The project is projected to add a maximum of 36 peak hour vehicles to El Camino Real, west of Halford Avenue. If a small percentage of the 36 peak hour vehicles was to use the identified streets as a means to avoid congestion along El Camino Real, the existing problem would be minimally impacted by the project.

6. Existing congestion at El Camino Real and Lawrence Expressway (2, 3, 7, 9, 14, 44, 53)

As stated on page 85 of the Draft EIR, the existing plus approved level of service at the intersection of El Camino Real and Lawrence Expressway (Level C in the a.m. peak hour and Level D in the p.m. peak hour) would remain unchanged with the addition of project traffic; therefore, the project's impact at that intersection would be less-than-significant.

7. Metering of the Lawrence Expressway southbound on-ramp needed (14, 53)

Ramp metering was suggested for the southbound Lawrence Expressway on-ramp. A metering light would probably help the merge situation because there would be fewer cars; however, it is not recommended because it would cause backups onto El Camino Real that could block driveways and potentially Halford Avenue. In addition, it should be noted that the County does not have meters on any of the expressway ramps.

8. Project should access directly onto Lawrence Expressway ramp (35, 40, 41, 43)

The concept of providing project access from Lawrence Expressway is infeasible. The County has a policy of not allowing access to their expressways via non-signalized locations. There would need to be a signal installed, which is also infeasible because of the vertical sight distance problems and spacing of the El Camino / Lawrence intersections and overcrossing. Providing access to the project site would create numerous operational problems and create unsafe conditions near the potential project driveway. The distances between the El Camino Real to SB Lawrence ramp and the potential project driveway would be inadequate to allow for proper acceleration and deceleration of vehicles entering Lawrence from El Camino and the new project driveway. The evaluation of the distance between the El Camino to SB Lawrence on-ramp and the Lillick Drive access point indicate that the distances are already shorter than desirable. Providing a new project access between the two points would worsen the problem.

9. Lawrence Expressway and Lillick Drive (12, 13, 14, 20, 29, 35, 40, 41, 43, 46, 53, 58)

Comments were received regarding increased traffic volumes along Lillick Drive due to the project and the safety of the right-turn lanes at Lillick Drive and Lawrence Expressway. The effects of project traffic on surrounding streets were analyzed as part of the traffic impact analysis. The analysis indicated that though the project would increase traffic volumes along

Lillick Drive east of Halford Avenue (by approximately 490 daily trips, from an existing 1,700 daily trips), the increase would not create operational problems along this street. Lillick Drive is classified as a “collector” and is intended to serve as a link to major arterials and provide access to adjacent properties.

The closure of access to and from Lawrence Expressway at Lillick Drive is an option to curb increased traffic volumes along Lillick Drive between Halford Avenue and Lawrence Expressway; however, the closure would put further strain on Benton Street and El Camino Real. The benefits of decreased traffic volume along Lillick Drive with the closure could potentially create numerous problems within the surrounding neighborhood. The evaluation of operational issues are not considered CEQA issues.

Lillick Drive currently provides access to and from southbound Lawrence Expressway via right-turn lanes. Left turns at the intersection are not permitted. Deceleration and acceleration lanes aid access to and from Lawrence Expressway. The deceleration lane that provides for the right turn from southbound Lawrence Expressway to westbound Lillick Drive is approximately 250 feet long, and the posted speed limits on Lawrence Expressway and Lillick Drive are 50 mph and 35 mph, respectively. Guidelines outlined in geometric design manuals (AASHTO) for streets specify that vehicles require approximately 300 feet to slow from 50 mph to 20 mph and 250 feet to slow from 50 mph to 30 mph. It is physically impossible to provide the more conservative 300 feet recommended by guidelines, but the provided distance does allow adequate space for vehicles to slow to less than 30 mph prior to making the right turn to Lillick Drive.

Vehicles entering southbound Lawrence Expressway from Lillick Drive are provided an acceleration lane of approximately 450 feet to reach expressway speeds. Guidelines specify that “low performing” vehicles require approximately 650 feet to increase speed from 20 mph to 50 mph. Though the provided acceleration lane length is shorter than recommended for “low performing” vehicles, most vehicles are capable of reaching expressway speeds within the provided length. Also aiding the access to Lawrence Expressway, vehicles entering southbound Lawrence Expressway from Lillick Drive merge into a high occupancy vehicle (HOV) lane during peak hours. The HOV lane serves less traffic than the typical mixed-flow lane allowing for gaps in traffic flow for merging vehicles.

Comments were made in regards to the large number of accidents that occur at the Lillick Drive to/from Lawrence Expressway ramps. Accident history provided by the City of Santa Clara indicates that there has been only one accident involving physical damage to a vehicle between January, 2002 and December, 2005. One accident over the four year span is far less than average. Therefore, based on the accident history, it does not appear that the existing deceleration and acceleration lane lengths create unsafe conditions at the intersection of Lillick Drive and Lawrence Expressway. Public comments regarding “near misses” and conflicting movements at these on- and off-ramps are acknowledged.

10. Traffic study old/inadequate, significance criteria bad (40, 56)

Traffic counts used in the traffic analysis were collected primarily during September – October, 2003. A list of approved projects dated July, 2003 was provided by the City of Santa Clara for use in the traffic study. An initial traffic study for the project was completed in April, 2004. The traffic study was revised in April, 2005 to reflect a change in the project description. It was decided not to re-collect count data for the revised analysis since there had not been a significant amount of development in the area, and the traffic volumes were actually decreasing along most roadways due to the economic downturn. Therefore, the current traffic study dated April 4, 2005 utilizes the original traffic counts collected. The list of approved projects includes all major approved development in the area, including the Kaiser Hospital along Lawrence Expressway.

11. Increased traffic reduces safety of children walking to school / playing and biking in the neighborhood (11, 12, 19, 26, 34, 39, 40, 48, 55)

Increased traffic does not directly relate to increased accidents. Santa Clara streets are designed and regulated by established standards, with traffic safety and accident prevention as the highest priority.

K. UTILITIES AND SERVICE SYSTEMS

Following are the general comments that were made on utilities and service systems, followed by the number of the letter(s) in parentheses that expressed the comment, and by the response:

1. Adverse impact on utilities (8, 25, 39)

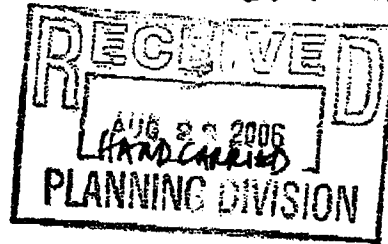
As described in section III. N. Utilities and Service Systems, pages 90-96 of the Draft EIR, most utilities, including wastewater treatment, water, storm drainage, solid waste, natural gas and telephone service, are available and adequate to serve the project. Sanitary sewers and electric service in the area are deficient and require mitigation. As stated on pages 95-96 of the Draft EIR, the project will pay their fair share for the construction of the needed new sanitary sewer facilities, which will be constructed by others prior to or concurrently with the project, or if not constructed by others, will be constructed as part of the project; and must be operational prior to the issuance of project occupancy permits for any phases of the project that may exceed available capacity. In addition, the onsite and offsite underground electric distribution systems will be upgraded to include facilities and substructures across El Camino Real. See Text Amendments to section III. N. Utilities and Service Systems (Sanitary Sewers).

V. GENERAL PUBLIC COMMENT LETTERS AND RESPONSES

2.

August 27, 2006

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara CA 95050



We are residents of the Casa Del Valle community and live on 3712 Europe Court, Santa Clara CA 95051. After receiving your notice of availability of, and having reviewed the draft environmental impact report for the Santa Clara Square proposal, we have concerns in the following areas. Please consider these concerns when making your decision on the application before you.

1. Land Use and Planning:

We request that you oppose the change in land use from commercial to transit-oriented mixed residential, office and commercial use. The addition of 490 housing units seems extremely dense for the size of the lot. In addition, as I travel up and down El Camino Real daily, I see no precedent for this type of mixed use. We are opposed to an exception being made for this project, and request that you vote no on allowing the change. I would like to see a list of the 125 new jobs that will be created, because that seems high to us.

2. Noise:

Noise intrusion will not be mitigated for current homeowners who do not have the proposed STC rated windows in their residences. In fact, most of the homes in Casa del Valle have the original, single-pane windows and any increase in noise will be immediately apparent. So to say that noise will be mitigated, does not take into consideration that 490 townhomes times 2.x residents, x 2.x cars, times 1.x air conditioning units will definitely increase noise. The investors can say they will mitigate noise, but Casa del Valle is a quite, lovely community that will be adversely impacted by any additional noise.

3. Parking:

Parking is already a problem on Lillick because of the apartment units. Although they have under-building parking, every space is parked in every night with cars from the apartments. I expect the same will happen on Halford because the builders are not providing parking space for every car.

4. Aesthetics:

We are vehemently opposed to 8-story structures being erected at this site. Again, there is no precedent for this along El Camino Real in Santa Clara. When I drive down Halford to El Camino every morning, I can gaze to the East and see the beautiful hills

Responses to Letter No. 2, **Gary and Patricia Scarsdale**

1. See Master Response No. 1 for Land Use and Planning. The projected number of employees (41 office and 428 commercial) shown on page 18 of the DEIR are based on industry-accepted criteria. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

2. See Master Response Nos. 1 and 2 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

As stated on page 68 of the Draft EIR, noise from fixed sources such as air conditioning equipment is regulated by City Code and is limited to 55 dB and 50 dB at residential property lines during the daytime and nighttime, respectively. Air conditioning equipment will be located on the top of the buildings where it will be shielded to reduce noise levels.

3. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response Nos. 1, 2 and 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

surrounding the Valley. Put up 8-story structures, and that one small pleasure will be eliminated. And, I fear that if the buildings look anything like the structures that were just built near El Camino and Calabazas, the area will be the laughing stock of the community.

5. Air Quality:

Air quality is already challenging in California. Add the additional traffic for residents and the commercial establishments and there is no way that we can believe that there is less-than-significant impact. It may not exceed the thresholds, but it will definitely exceed the existing thresholds in my community.

6. Traffic:

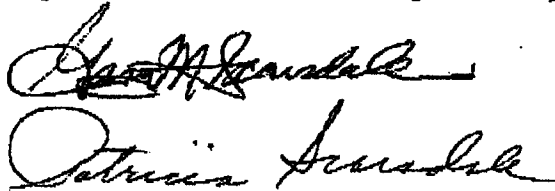
Again, 490 units times at least 2 persons per household means 980 additional cars, plus the commercial traffic. How this could not have a significant impact is not clear to me. El Camino and Halford and El Camino and Lawrence are extremely busy intersections, and this additional traffic cannot possibly have a less-than-significant impact.

7. Home Values:

In a declining housing market, adding 490 townhomes in this area would significantly reduce the possibility of existing homeowners successfully selling their homes. Owners of homes that back up to Kohl's already have a more difficult time selling their homes. Add an eyesore of 8-story buildings, and we believe that it will be even more difficult to sell a home.

8. Although the project site has not been well maintained for many years, and although we are not opposed to improvements of some kind, we strongly urge the Planning Department to consider alternatives 1 or 3. Or, worst case, revise the project to reduce the number of homes and businesses, and the height of the proposed project. Surely a city the size of Santa Clara, with the tremendous number of commercial enterprises, cannot find it necessary to ruin a neighborhood for the sake of a few jobs and improvements to the sewer lines.

Sincerely,

The block contains two handwritten signatures in cursive. The top signature is for Gary Scarsdale and the bottom signature is for Patricia Scarsdale.

Gary and Patricia Scarsdale
3712 Europe Court
Santa Clara CA 95051-3235
408-248-2542

5. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. See Master Response No. 6 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 3 for Land Use and Planning. This is not a CEQA issue; however, the comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
8. This comment states an opinion regarding the proposed project. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

3.

CEQ2003-00000

RECEIVED

AUG 30 2006

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on 1363 Santa Way, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

Noise and Privacy: _____

Parking: _____

1. Air Quality
Aesthetics: I have a newborn and I am extremely
concerned about the dust & pollution associated
with reconstruction. Also 4500 residential units and

Air Quality: retail stores will bring thousands of cars
every day to the area which already polluted
by Lawrence EW and El Camino.

2. Traffic: Ramp from El Camino to S.B. Lawrence
is a very problematic area. There is a major
accident there almost every week. I would like
to see the proposal which will address the
increased traffic on ECR & Lawrence intersection

Responses to Letter No. 3, **Gary Vernik**

1. See Master Response Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

2. See Master Response No. 6 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

Home Values:

3.

Additional Concerns:

My main concerns are:

1. dust & pollution

2. Traffic on El Camino & Lawrence
intersection

3. Toll building will dominate the
landscape and block sky/seen

Name:

Gary Vernik

Signature:



Date:

8/27/6

3. See response to comments No. 1 and 2 above; and Master Response No. 1 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

4.

August 28, 2006

City of Santa Clara
Planning Department
1500 Warburton Ave
Santa Clara, CA 95050

RECEIVED

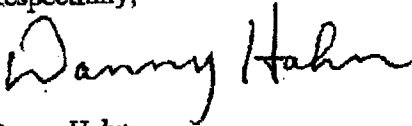
AUG 30 2006

City of Santa Clara
Planning Division

I am a resident of Santa Clara living at 3722 Europe Ct. I have reviewed your draft impact report for the Santa Clara Square mixed use development proposed for 3700 El Camino Real. My house is between the proposed development and Lillick Drive, and although I do not entirely oppose the project, I do have the following concerns.

1. This proposal for 6 new buildings up to 8 stories tall seems to be completely incompatible with the surrounding neighborhood.
2. The developer's request for a waiver for fewer parking spaces than required by current city ordinance should be denied. There is already excessive street parking in this area. Four levels of parking garage space and four levels of townhouses (up to 490 townhouse units) is an extreme project for this neighborhood. After including the proposed retail stores, the developer should be required to provide more parking spaces than required by city ordinance not requesting a waiver for less parking. Less parking provided by developers always puts an additional burden on the city.
3. The proposed 2 story office/retail building on the west side of Kohl's (facing Halford) also presents a problem. There is currently only room for two rows of parking in this proposed area (one row adjacent to and facing Kohl's and one row facing the sidewalk trees along Halford Avenue). A two story building here would need to remove several mature pine trees planted next to the sidewalk. Most certainly this would necessitate on-street parking.
4. Turning south on Halford Avenue from west-bound El Camino Real (coming from Lawrence Expressway) is already a difficult process. Even with the two left turn lanes on El Camino Real, we often wait through two signal timing cycles at rush hour. An additional 490 townhouses on this corner would make the situation unbearable.

Respectfully,



Danny Hahn
3722 Europe Ct
Santa Clara, CA 95051

650-966-2107 (W)
408-260-7217 (H)

Responses to Letter No. 4, **Danny Hahn**

1. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Biological Resources. Displaced parking will be relocated to the onsite parking structures. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 3 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

5.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

RECEIVED

SEP 05 2006

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on

3757 ADMIRAL WAY, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: This construction will significantly increase the noise level due to additional housing & business properties. The privacy will also be disturbed as there will be so many visitors to the business offices.

2. Parking: With the new townhomes & commercial buildings the parking will be difficult. People coming to these places will try to park in the residential complex.

Aesthetics: _____

3. Air Quality: The air quality will be worse with increase in population & traffic.

4. Traffic: The traffic situation will worsen with more than 1000 people visiting these complexes.

Responses to Letter No. 5, **Sarvesh Mathur**

1. See Master Response Nos. 1 and 4 for Noise and No. 2 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 5 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

Home Values:

5. The home value will go down significantly as not many
people prefer to buy house close to commercial
complex.

Additional Concerns:

6. I am against this project due to impact on my
privacy, home value.
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Name: SARVESH MATHUR

Signature: _____

Sarvesh

Date: 08/26/06

5. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. The comment is acknowledged. No response is required.

SEP 07 2006

6.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on

3748 Adriatic Wy, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: I am on the block behind Kohl's and feel that a 95' building is too high to build considering the surroundings.
2. Parking: If parking is allowed on Halford, this would greatly impact my street.
3. Aesthetics: I welcome change and improvement to this current site. Just not to this extent. (way too tall & way too much housing)

Air Quality: _____

4. Traffic: Potentially very significant noise & traffic increase, on Halford.
5. Schools! Has anybody talked with the school district regarding building 400 new units? Our schools are at capacity (Laurelwood) & (Peterson Middle School) & can no way accommodate this kind of increase in enrollment,

Responses to Letter No. 6, **Michele & Keith Miyasaki**

1. See Master Response Nos. 2 and 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. Parking on Halford Avenue is public parking and will always be allowed for anyone. Those spaces are not counted toward the required parking for the project. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response Nos. 2 and 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 2 for Noise and No. 2 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

6.

Home Values:

I do not want to see my home value
decrease due to this size of project

Additional Concerns:

7.

Again I would like to say I am not
against improving this site. I am
against the size of the project & the
impact it would have on our
schools, traffic, noise, property
values etc... Look around the
Surrounding area. No where is there
any project of this size.
8 stories & 490 townhouse units is
completely out of the question

Name: Michele & Keith Miyasaki

Signature: Michele Miyasaki

Date: 8-28-06

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

7. See response to comments No. 1, 2, 3, 4, 5 and 6 above. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

RECEIVED

SEP 01 2006

City of Santa Clara
Planning Division

August 29, 2006

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Dear Planning Department:

We are residents of the Casa De Valle community and live at 1337 Halford Avenue. We received the notice of availability of and reviewed the DEIR for the Santa Clara Square proposal, and we have a number of concerns. Although we are definitely in favor of revitalizing the Kohls complex, the current proposal does not seem like the best solution. Surely the current proposal must be the developer's "wildest dreams" wish list so that there is plenty of negotiating room to get the project down to a more realistic size.

1. First of all...the buildings are going to be eight stories high? With the exception of an office building off of Mission College Boulevard, we cannot think of anything else in Santa Clara that is that tall. The size alone will make it stand out like a sore thumb and look completely out of place. Our neighbors on the north side of the complex (backs up to Kohls) will now be in the shadow of this monstrosity...what will that do for their home values?
2. The number of residential units seems outrageous. 490 units with 1,225 estimated residents? To suddenly add that many residents entering/exiting what is already a busy intersection is just plain irresponsible. At 5:30pm the westbound traffic on El Camino at Lawrence is already heavy; we're going to add 1000 more commuters? The number of parking spaces - 2 per unit - seems inadequate as well. Many households are multi-generational and have 3 or more vehicles, plus visitors at various times. Guess where the spillover will go: In front of the surrounding neighborhood's homes.
3. There are also the issues of noise and air quality. We live off of the intersection of El Camino Real and Lawrence Expressway, so we already have our fair share of noise and exhaust fumes. Now we'll get to breath carbon monoxide from 490 housing units' worth of vehicles. As far as the noise goes...the current complex is pretty quiet, even on the weekends. That will most certainly change when there are eight stories worth of businesses and residences. Does the developer plan to provide the surrounding neighborhood with dual-paned windows?
4. We've already got the Rivermark complex & others along Montague Expressway/Lick Mill, which resemble Dr. Seuss' Whoville. If we continue to allow cookie-cutter, Ikea style housing to pop up like toadstools, we will lose the style that makes Santa Clara such a distinctive, charming city.

Again, we would love to see the complex continue to evolve and improve; Kohl's was already a significant improvement over the old K-Mart store. We hope that the Planning Department and developer are able to reach a more fitting solution.

Sincerely,



Carrie Walters & Michael Clapperton
1337 Halford Ave.
Santa Clara, CA 95051
408-296-6500

Responses to Letter No. 7, **Carrie Walters and Michael Clapperton**

1. See Master Response Nos. 1 and 3 for Aesthetics and Nos. 1 and 3 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Land Use and Planning; No. 6 for Transportation / Traffic; and No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Air Quality and No. 1 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process. Dual-paned windows on the units surrounding the project are not necessary due to the project noise levels being less-than-significant.
4. See Master Response No. 2 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

RECEIVED

SEP 01 2006

City of Santa Clara
Planning Division

8.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

I (we) am (are) a resident(s) of the Casa Del Valle community and live on
3737 Adriatic Way, Santa Clara, CA. After receiving your notice of
 availability of, and having reviewed, the draft environmental impact report for the
 Santa Clara Square proposal, I (we) have concerns in the following areas. Please
 consider my response below when making your decision on the application before
 you.

1. Noise and Privacy: Proposals put forth by the builder calls for a very high density construction. I am concerned about noise from late night parking. Most commercial/retail offices create a lot of noise after office hours which is mostly overlooked. Example: today Kohl's Trucks & box crushing machines, Parking: create a lot of noise at odd hours.
2. Parking: The plan, if approved would result in parking right behind my back wall. While I understand the efficient use of land, I am worried about security & noise from parking behind our complex.
3. Aesthetics: From my discussions with neighbors and friends around the site, we all believe that construction plan should be elegant, neat and spacious rather than cramped. Narrow alley ways and dark corners promote crime. We believe plan is very crowded.
4. Air Quality: I am not too worried about air quality unless vehicles parked in the parking garage are not running idle.
5. Traffic: I strongly suggest my council members to drive around Kohl's Shopping complex around 5-7 pm. You'll get a fair idea that we have a very good reason to be worried. U-turn on El-Camino takes a long time and is already unsafe for pedestrians.

Responses to Letter No. 8, **Raj and Charu Khanna**

1. See Master Response No. 1 for Noise. The noise from late night trucks and box crushing is an existing condition, and not a project impact. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 2 for Noise; No. 3 for Parking and No. 5 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics and No. 5 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.
5. See Master Response No. 1 for Transportation / Traffic. Pedestrian access will be improved by placing a wide sidewalk along Halford Avenue with enhanced crosswalks, where appropriate, to connect the project site to neighborhoods to the west; and by installing enhancements to crosswalks at the intersection of El Camino Real and Halford Avenue. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

6.

Home Values:

Santa Clara like other Counties is an expensive to own a house. We are requesting for city planning to help protect home values considering safety, privacy, aesthetics & noise.

Additional Concerns:

7. I am concerned about high density plan. please consider asking builder to scale down the project keeping in view the present and future growth of this neighborhood. I am an Engineer myself and it appears to me that proposed plan is stretching the limits and will be a burden on resources.

8. We should try to build an elegant beautiful place by sacrificing fewer trees.

I have faith in your office and I am hoping your office will keep our concerns in fore front while making decision on this proposal.

THANKS!

Name: RAJ KHANNA
CHARU KHANNA

Signature:  charu

Date: 08/29/2006.

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 1 for Land Use and Planning and No. 1 for Utilities and Service Systems. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See Master Response No. 1 for Biological Resources. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

SEP 01 2006

City of Santa Clara
Planning Division

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

I am a resident of the Casa Del Valle community and live on 1341 Casa Court, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: Area is already high traffic and noisy. The huge new addition will multiply this many times
2. Parking: The neighborhood already has lots of cars parked on streets. This new addition will compound the problem much more
3. Aesthetics: The neighborhood buildings are generally low rise. An addition as proposed make the whole thing look like a sore thumb stick out.
4. Air Quality: No question air quality will become worse with this large complex.
5. Traffic: Indeed the new addition of residents of this size will cause big problem on traffic as both El Camino Real and Lawrence Expressway are already high traffic thoroughfares.

Responses to Letter No. 9, **Vincent Lum**

1. See Master Response No. 1 for Noise and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 2 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 6 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

6. Home Values: Home Values of current residences will suffer with this addition because it made the area less desirable to live.

Additional Concerns:

7. The towering buildings made the neighborhood low rise building look weird and incongruous. In fact there is not any buildings of this size and height anywhere in a short distance or large distance. There are hardly places in the whole city with residential and commercial mix of this kind. That should not be of the kind the city would let develop.

Name: Vincent Lucas

Signature: Vincent Lucas

Date: 8/29/06

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

10.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

SEP 01 2006

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on 3615 Brach Way, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: Project will create lots of noise to adjacent complexes. I urge you to scale down the development.
2. Parking: Increased on-street parking on Halford & driveway behind Kohl's will create lots of noise to adjacent units (incl. mine).
- Aesthetics: _____
3. Air Quality: Increased traffic will lead to bad air quality for existing residents.
4. Traffic: Increased traffic on Halford, Ave will greatly impact the existing residents, and
and hit the

Responses to Letter No. 10, **Chong Teoh and Cheng-Tse Fu**

1. See Master Response No. 1 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 2 for Noise and No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response Nos. 2 and 4 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

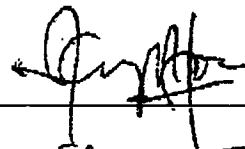
Home Values:

5.

Our home value will be impacted by the noise,
traffic & also the new apartments/condo.

Additional Concerns:

Name: _____

Signature:  _____

Date: 8/29/06

(Chong Teoh &
Cheng-Tse Fu)

5. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

11.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



RECEIVED

SEP 05 2006

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on

Europe Ct., Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: We are concerned about the construction noise. The on-going construction will disturb our infant son. Also the noise/traffic from the retail stores will be disturbing.

Parking: _____

2. Aesthetics: The view and sunlight from our windows is important. We don't want either to be blocked.

3. Air Quality: We are concerned about the construction dust and pollution as we take walks in our neighborhood.

Traffic: _____

Responses to Letter No. 11, **S. Prasads**

1. See Master Response No. 4 for Noise and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

4.

Home Values:

We hope that the new buildings don't devalue our older homes.

Additional Concerns:

5.

There a lot of children in this neighborhood. We want them to be able to play outside & go for walks without the construction bothering them!

Name:

Prasads

Signature:

SPrasad

Date:

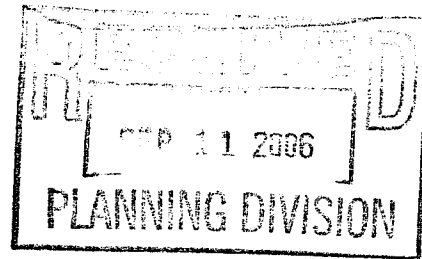
8/30/06

- A-92

12.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

19



I (we) am (are) a resident(s) of the Casa Del Valle community and live on 1362 CASA CT, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: With 490 townhouses, there are definitely going to be a lot more noise. The neighborhood used to be one of the safest, with increase people, I am not sure it is safe for the kids to play around
2. Parking: With a new retail space, parking is definitely going to be affected
3. Aesthetics: This is a pretty low density neighborhood. ~~With~~ These high rise buildings change the neighborhood too much. People living in the townhouse can basically see what what we are doing in our backyard
4. Air Quality: The high rise building affects ventilation of the area. Being next to Lawrence the air quality is already rather. This project is going to make it worse.
5. Traffic: Lawrence south \rightarrow Lillick Dr is a dangerous turn. With increase traffic, it would be dangerous for me to drive home every day.

Responses to Letter No. 12, **Chungman Ho**

1. See Master Response No. 1 for Noise and No. 11 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics and Nos. 1 and 2 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 9 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

Home Values:

6. These 490 townhomes changes our neighborhood
to a high density neighborhood. There is going
to adversely affect our home value.

Additional Concerns:

7. Can our school system handle the increase
number of residents?
8. El Camino - Lawrence Exwy - Lillick merge
will be a dangerous intersection.
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Name: CHUNGMAN HO
1362 Cam Ct, SC 95051

Signature: Chungman Ho

Date: 8/31/2006

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 1 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See response to comment No. 5 above.

RECEIVED

SEP 07 2006

City of Santa Clara
Planning Division

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

I (we) am (are) a resident(s) of the Casa Del Valle community and live on Dr + Mrs William Murray, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: Very concerned about the impact of 400+ residential units in such a small area, and noise generated by commercial businesses. Lack of privacy due to an adjacent 8-story structure.
2. Parking: The impact of this many additional residents & their cars cannot be possibly handled as outlined in the EIR prepared by the city.
3. Aesthetics: Not clear from developers plans regarding exposed surfaces, colors, etc. Lack of green space. Height of proposed structure way out of line with surrounding community.
4. Air Quality: Truck deliveries to businesses (diesel) garbage dumpsters from restaurants (spoiled food & vermin attractant) on top of a greatly increased number of cars.
5. Traffic: Congestion and noise to late hours on Halford & Lillick Aves. lots of high speed 2-way traffic. Need to mitigate this impact by lane use. Express entry ramp redesign, changes to one-way traffic flow needed. The overuse of Lillick & Halford Aves to "feed" traffic into a 400+ unit residential & commercial property.

Responses to Letter No. 13, **Dr. William J. and Judy L. Murray**

1. See Master Response No. 1 for Noise and Nos. 1 and 3 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics and No. 2 for Public Services. The exposed surfaces and colors of the buildings are shown on colored renderings that are available at the City Planning offices. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality and No. 1 for Parking. Odors and vermin are controlled by City and County regulations. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response Nos. 2, 4 and 9 for Transportation / Traffic and No. 1 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

6. Home Values:
Depending on ultimate configuration, surrounding home
values could drop due to "multistory apartment
bdg effect." Increased traffic, noise and lack
of community green space and buffer zones
could cause the "feel" of the neighborhood to change.
thus eroding property values.

Additional Concerns:

7. ① Building "around" existing Kohl's Dept. Store
will give an "added on" unplanned
appearance to the overall project.
8. ② Long term construction including Saturdays
for a year or more.
9. ③ No provisions for clearing up townhouse
complex following construction to remove dust,
etc.
10. ④ Impact of parking demand on surrounding streets
with single family homes.
11. ⑤ Parking structures and driveways immediately
adjacent to our property - noise, litter and etc.
12. Not a pleasing architectural design. looks like
corporate slab sided construction. No enduring
aesthetics of proposed
construction.

Name: Dr. William J. Murray
JUDY L. MURRAY

Signature: William J. Murray

Date: 8/31/06

8-31-06

William J. Murray
1326 Kasevich way A99
S.C. 95051

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 2 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See Master Response No. 1 for Project Schedule. Construction scheduling is given on page 73 of the Draft EIR. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
9. See Master Response No. 2 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
10. See response to comment No. 2 above.
11. See Master Response Nos. 2 and 3 for Noise and No. 3 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
12. See Master Response No. 2 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

14.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

RECEIVED

SEP 07 2006

City of Santa Clara
Planning Division

I am a resident of the Casa Del Valle community and live on 3713 Europe Court, Santa Clara, CA. After receiving your notice of availability (EIR) and having reviewed the draft environmental impact report for the Santa Clara Square proposal, I have comments in the following areas. Please consider my response below while making your decision on the application before you.

1. Noise and Privacy: Constructing an eight-story building directly behind our complex jeopardizes my privacy. The sheer volume of additional traffic is going to increase the noise level late into the evening. With parking structures and overflow parking along city streets, how are problems such as car alarms being activated going to be handled?
2. Parking: I strongly object to the developers' request for the waiver to permit fewer parking spaces than otherwise required by city ordinance as this would increase on-street parking in our neighborhood. Additionally, foot traffic, possibly through our complex would increase. The thought that the residents of this development would use mass transit is wishful thinking. Let's be honest here, anyone who could afford to purchase these townhouses would not be the utilizing a city bus or mass transit for their transportation needs.
3. Aesthetics: Nothing about the planned development is architecturally pleasing to the eye. This development is going to look like any other commercial development in a large city. I have a real concern about looking out of my 2nd floor bedroom window into the side of an eight-story building. Not to mention that lack of sunlight this will cause during the day and, conversely, the constant lighting from the exterior of the development that I'll have to contend with at night. There's also the issue of glare from the windows of these high-rise buildings.
4. Air Quality: The dust and diesel fumes from construction equipment during the construction period will permeate the air around our community, causing us to keep windows and doors sealed. Just the additional traffic will increase exhaust fumes in the area.
5. Traffic: Just referring to the plans for residential development, with almost 500 townhouses planned, and an anticipated minimum of two vehicles per unit, this will significantly increase traffic in and around El Camino Real, Halford, Lillick and Lawrence Expressway, making it virtually impossible for those living in Casa Del Valle access to our community. Add to that congestion, the commercial and business traffic going in and out of the development. At a minimum, the on-ramp to South

Responses to Letter No. 14, **Linda McClure**

1. See Master Response Nos. 1 and 5 for Noise and No. 2 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response Nos. 1 and 2 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response Nos. 1, 2, 3 and 4 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response Nos. 4, 6, 7 and 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

Lawrence must be metered so the danger of exiting from Lawrence to Lillick is minimized. I would like to see a better plan in terms of the traffic patterns in and around this new development as I don't believe the developers have thoroughly considered the problem.

6. Home Values: Maybe when this development was first planned years ago, there was a great need for new housing; however, with the Silicon Valley "bust" of 3-5 years ago, that need is no longer valid. Supply and demand for housing has kept property values going up in the area, or at least steady. With the planned construction of nearly 500 townhouses, the market will be over-saturated in this area and the value of our property will drop. With increasing reports of "the housing bubble burst", the scope of this development is far greater than what is needed for this area.
7. Additional Concerns: Though I do not directly oppose this development project and, in fact, embrace the revitalization of our neighborhood with new commercial business, I do oppose the scale and density of this planned project. I do not believe that Santa Clara needs this much housing on one relatively small piece of land. In reviewing the EIR, I'm concerned that the developer has not satisfactorily addressed the environmental impact this project will have on the surrounding neighborhood. I think the negative potential consequences are understated and my impression is that they are very flippant in their responses to these negative consequences. As currently planned this development is going to look like some ugly monstrosity that doesn't fit with the aesthetics of the surrounding area and looks more like something you would build in the middle of a city where you have no space and high density living. Please consider limiting the scope of the proposed project to no more than two-four stories and significantly reduce the number of planned townhouses. Lastly, there was no indication on the expected start and end date to this project. I'd like an answer to that question as well. I would appreciate the City of Santa Clara Planning Department giving my concerns your attention before voting to allow this development to continue as planned. Thank you.

Name: Linda McClure

Signature: *Linda McClure*

Date: 9/1/06

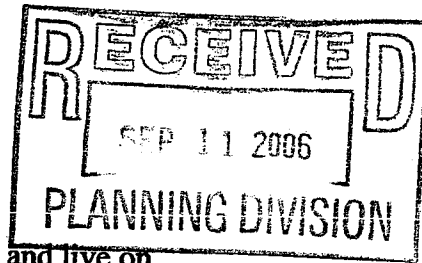
6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

7. See Master Response Nos. 2 and 3 for Aesthetics; No. 1 for Land Use and Planning; and No. 1 for Project Schedule. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

15.

15

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



I (we) am (are) a resident(s) of the Casa Del Valle community and live on 3719 Europe Court, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: People could look into our houses and backyards
2. Parking: People will use the area streets for additional parking
3. Aesthetics: light story building (especially 6) do not fit with the neighborhood landscape
- Air Quality: _____
4. Traffic: this will cause congestion and delays

Responses to Letter No. 15, **Bill Hesley**

1. See Master Response No. 2 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

Home Values:

Additional Concerns:

5. 1.) Increase in Neighborhood Crime
6. 2.) overcrowding of local stores
especially grocery stores

Name:

BILL HESLEY

Signature:

Bill Hesley

Date: 09-02-2006

5. See Master Response No. 5 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. According to the manager of the supermarket across El Camino Real, they would welcome the additional residents and he foresees no problem with overcrowding. If the existing onsite market is proposed to be relocated, and outdoor display and/or storage is proposed, this use will be subject to Use Permit review, at which time the City will evaluate potential impacts on the neighborhood.

16.

16

RECEIVED

SEP 07 2006

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

City of Santa Clara
Planning Division

I (we) am (are) a resident(s) of the Casa Del Valle community and live on
3681 BRACH Way, Santa Clara, CA. After receiving your notice of
availability of, and having reviewed, the draft environmental impact report for the
Santa Clara Square proposal, I (we) have concerns in the following areas. Please
consider my response below when making your decision on the application before
you.

1. Noise and Privacy: I will live across from the
proposed Santa Clara Square & very
concerned the impact that the development
will have on my Quality of life.

Parking: _____

2. Aesthetics: Height should be limited

Air Quality: _____

Traffic: _____

Responses to Letter No. 16, **Mario Mere**

1. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

2. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

Home Values:

Additional Concerns:

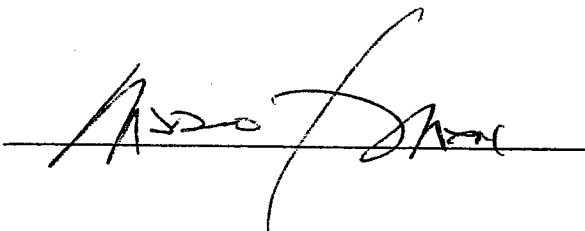
3. Number of proposed residential units is excessive. 490 units is too many & will result in excessive noise & lots of traffic problems

4. The height of some of the proposed structures should be limited to no more than 50 feet.

Name:

MARIO MERE

Signature:



Date:

9/2/2006

3. See Master Response No. 1 for Land Use and Planning; No. 1 for Noise; and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

4. The comment is acknowledged. See response to comment No. 2 above.

17.

City of Santa Clara Planning
Department 1500 Warburton
Avenue Santa Clara, CA
95050



RECEIVED

SEP 07 2006

City of Santa Clara
Planning Division

I (we) am (are) a residents) of the Casa Del Valle community and live at 1316 Karina Way, Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider our response below when making your decision on the application before you.

1. **Noise and Privacy:** We disagree with the current plan which calls for 11 hour construction work days during the week and 9 hour work days on Saturday. The existing residents nearby will be subjected to an inordinate amount of noise during long weekday hours and then their weekends will also be disrupted by noise. If this project is approved, we are asking for no Saturday construction hours.
2. **Parking:** Even though a parking structure is planned, we all know that there will be an increased number of cars parking on the residential streets. This will have a negative impact on existing residents in the immediate area.
3. **Aesthetics:** An eight story residential complex, including 490 townhouse units, is too large for this area. A development of this scale is not compatible with the existing residential neighborhood and will destroy the balance..
4. **Air Quality:** The increased traffic of trucks during construction, and cars after project completion, will cause a significant increase in unhealthy emissions released into the air.
5. **Traffic:** The increase in traffic will negatively affect the quality of life and peace and quiet of those of us living along Lillick and Halford. The streets in this area are already filled with traffic and a complex like this one would increase the number of cars using these streets.

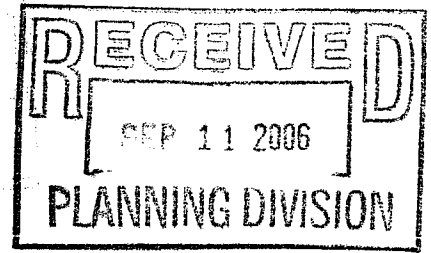
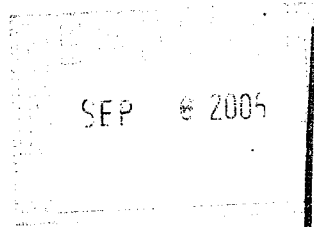
Responses to Letter No. 17, **Kathryn L. and Herbert D. W. Ebhardt**

1. See Master Response No. 4 for Noise. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response Nos. 2 and 4 for Transportation / Traffic and No. 1 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

This Page is Intentionally Left Blank

18.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



I am a resident of the Casa Del Valle community and live on 1373 Sarita
Way, Santa Clara, CA. After receiving your notice of
availability of, and having reviewed, the draft environmental impact report for the Santa
Clara Square proposal, I have concerns in the following areas. Please consider my
response below when making your decision on the application before you.

Noise and Privacy: (see comments on next page)

Parking: _____

Aesthetics: (see comments on next page)

Air Quality: _____

Traffic: _____

Responses to Letter No. 18, **Russell Ryono**

The introductory comments on this page are acknowledged. No response is required.

Home Values: _____

Additional Concerns:

1. I do not have a problem with developing this property to bring in new businesses as it can bring a number of benefits/conveniences to the neighborhood/city. What I do feel more strongly about is the size of the planned buildings. Eight story buildings, in my opinion, would be much too high affecting privacy and the "openness" of this townhouse community. In addition, buildings this tall would be completely out of character within the immediate neighborhood. Please consider scaling down this project to be consistent with the "feel" for the area. Thank you for your consideration.

Name: Russell Ryono

Signature: Russell Ryono

Date: 9/4/06

1. See Master Response No. 3 for Aesthetics and Nos. 1 and 2 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

19.

From: J Lipari <jlipari@sbcglobal.net>
To: <Planning@ci.santa-clara.ca.us>
Date: Tuesday, September 05, 2006 10:36:53 AM
Subject: Santa Clara Square Mixed Use Development



September 5, 2006

To: Mr. Douglas V. Handerson, AICP
Re: Santa Clara Square Mixed Use Development

Dear Mr. Handerson,

I am interested in the above development as I am a home owner in the adjacent neighborhood. Living near El Camino Real, we were aware of, at the time of our home purchase in 1993, and accept the potential for commercial development very near to our home. I have never provided comment to the city on these types of developments which have occurred on El Camino Real during the 14 years I have owned a home here.

1. However, I am providing comment about the proposed Santa Clara Square Mixed Use Development as I am very concerned about the large number of residences proposed which will impact the local elementary school, Laurelwood. There are currently approximately 600 children at Laurelwood Elementary. This school was designed for a much smaller number of students, I believe about 250. The traffic that currently exists in the neighborhood at the beginning and end of school is already at unacceptable levels due to traffic from Laurelwood Elementary School, Peterson Middle School, other schools and occupants at the nearby Patrick Henry school site and commuters who drive through the neighborhood trying to get to 280 or Lawrence Expressway and avoid traffic on El Camino Real or Homestead Road.
2. Many of us who live within walking distance do not allow our children to walk to school by themselves because people have been hit by cars in the cross walks leading up to the school. The answer that has been given to us parents to help reduce traffic is that everyone who can should walk their children to school, which we do, at our own peril. I have been nearly hit in the 3 crosswalks leading to the school from my house so many times in the past two years I can't remember the number. Even so, Santa Clara provides no crossing guards at any intersection near the school. If you drive by neighboring Sunnyvale and Cupertino city schools there are many crossing guards (Stockmeir, Collins) although those schools have lesser traffic. Somehow they are willing and able to protect their current student residents and their parents while the City of Santa Clara is not.
3. A comment was made that there will not be many children residing in the proposed residences at Santa Clara Square so the local school impact will be minimal, as other similar developments along El Camino did not have many residents with children. The belief is that these types of developments are not seen to be desirable by families. That will definitely prove to be incorrect in this case. Look into the number of children living in apartment buildings within Laurelwood school boundaries, they are full of children. Laurelwood is a highly desirable school. As highly desirable or more so than some Cupertino schools. I know of families who were unable to get into Laurelwood through the school districts's open enrollment process so they have rented out their own homes in other parts of Santa Clara and rented an apartment in order to live within Laurelwood's boundaries so their children can go to this school.
4. If this development is approved with residences I would like to see the school boundaries redrawn to place this property outside Laurelwood's boundaries, maybe Braly can handle 490 new residences, as they have about half as many students as Laurelwood. Laurelwood's neighborhood cannot handle any more children and cars, even if the city decided to place crossing guards at many of the cross walks near the school.

Thank you,
Jill Lipari
1572 Peacock Avenue
Sunnyvale, CA 94087

Responses to Letter No. 19, **Jill Lipari**

1. See Master Response No. 1 for Public Services and No. 4 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 11 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

The streets around Laurelwood Elementary have been regularly surveyed by the Santa Clara Police Department, and no need for adult crossing guards has been determined. Student crossing guards are utilized to aid children across Teal Drive in front of the school.

3. See response to comment No. 1 above.
4. The comment is acknowledged. No response is required.

20.



EJ Wright
1414 Sarita Way
Santa Clara, CA 95051
☎ 408-2613836
09/05/2006

RECEIVED

SEP 07 2006

City of Santa Clara
Planning Division

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Subject: Response to EIR for Santa Clara Square Development

Dear Sir or Madam

We are residents of the Casa Del Valle community and live on 1414 Sarita Way, Santa Clara, CA. After receiving notice of availability of, and having reviewed, the draft environmental impact report for the proposed Santa Clara Square development, have concerns in the following areas.

1. Noise and privacy. Our home is on the boundary wall of the development property and we are concerned with the height of the proposed development that we will have reduced privacy in our home as well as an increased noise level from the sheer number of units being developed and the increased number of vehicle passing by our the small street behind our home.
2. Traffic. We are concerned by the increased number of vehicles accessing the property. With the number of units proposed we are looking at in excess of 2000 vehicles accessing the residential units. With the poor traffic flow in the proposed layout we expect most of these new residents will choose to use the "back street" i.e. Behind Kohls to access the main residential complex thus my traffic noise level will go from 1 dump truck per week to potential 1000 cars down the small street.

In addition to the traffic within the proposed development we have serious concerns with the traffic flow in the general vicinity. Even with the current low traffic accessing Kohls there are daily slow-downs and backups on EL Camino Real between Lawrence Expressway and Halford. With the dramatically increased traffic accessing this development we would expect to see the following:

1. Increased flow problems coming down El Camino from the East.

A-123

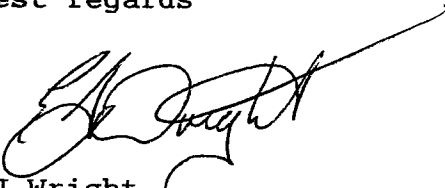
Responses to Letter No. 20, **E. J. Wright**

1. See Master Response No. 2 for Land Use and Planning and Nos. 1 and 2 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response Nos. 3, 4 and 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

2. Traffic backup heading west of El Camino as all westbound El Camino and North bound Lawrence Expressway traffic must perform a U-turn at the Halford traffic light to access the development.
3. A dramatic increase in traffic in Lilick with increased risk of accidents at the Lilick off ramp from Lawrence Expressway.
3. Parking. We are unfortunately not as optimistic as the writer of the EIR that the folks purchasing these units will be folks who will use public transit. Thus the proposed number of parking spaces will be inadequate and we insist that at a minimum the developer must comply with existing regulations and not be granted any variance.
4. Aesthetics. We are concerned with the loss of light coming into Casa Del Valle, specifically on the units immediately bordering the proposed project. This is a significant issue for the units bordering Kohl's because this is currently the major source of light coming into the units. If this disappears, the units will be very dark. Based on my experience with the current property owner I do not trust the developer will meet the requirement for cleanup. The current property as major issues with
 1. Trash. The rear of the property is not well maintained and trash is strewn around the property.
 2. Vagrants. As this property is not checked regularly we have at least 12 vagrants who have made this their permanent home.
 3. Tree infestations. The current trees at the rear of the property are invested with Woolly aphid and whitefly and the property owner is not prepared to address the issue.
5. Air Quality. We believe this area is very vague and believe our residents should have an input to the non existent Construction Air Quality plan. We are very concerned about the impact the dust created during construction would have on our air quality as well as dust intrusion into our homes. There is no mention of support being provided to home owners to either cleanup or reduce this impact.
6. Home Values. None of the information that we have been able to find addresses what is likely to happen to home values of the existing communities if *Santa Clara Square* is approved. We would like to see a study funded by *Santa Clara Square* to assess the likely impact.

7. In summary I would like to express that we are not completely opposed to this development as we believe the city needs such new investment. Our major concerns are over size/density of the project and the impact such a huge project will have on our quality of life and property values.

Best regards



EJ Wright

3. See Master Response Nos. 1 and 2 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response Nos. 1 and 5 for Aesthetics. There has been a nightly security patrol for the past year to insure that there are no vagrant camps behind the building. There have been no recent reports of vagrants. The property managers inspect the site regularly, and a sweeping service cleans the site regularly. The infested trees along the southerly property line are being investigated by the City arborist and will be treated according to his recommendations. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 2 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

21.

From: Ivonne zelaya <dije_z@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Tuesday, September 05, 2006 8:04:22 AM
Subject: 3700 El Camino Real SCH#2003122002

September 5, 2006

Dear Sir or Madam:

I am a resident in the neighborhood adjacent to Kohl's parking lot. I am extremely concerned about the potential new development at 3700 El Camino Real, Santa Clara.

/ The area from El Camino Real and Lawrence Expressway all the way to El Camino and Wolfe Road is already a nightmare of congestion, especially during commuting times.

I would challenge you and your department to do this test before you approve such an unrealistic plan:

Place an additional 1,500 more drivers in this area during commuting times (assuming there will be at least 2 people per unit and 500+ shoppers at one time)

Believe me you are not going to like what you see. Especially if this was your neighborhood and you were trapped at this home because moving would mean paying more property taxes.

I know your department is looking at more tax revenues for the city. But, isn't real state property taxes already enough for such a rich city?

Please think of the damage you are doing to our already congested neighborhood. We already get a lot of traffic on our street from people trying to avoid the congestion on El Camino Real.

I live at 1338 Thunderbird Avenue and my crossing street is Burnley, off Halford.

Please reconsider such ridiculous potential development.

Very truly yours,

Ivonne Zelaya
(408) 249-5064

Yahoo! Messenger with Voice. Make PC-to-Phone Calls to the US (and 30+ countries) for 2¢/min or less.

A-127

Responses to Letter No. 21, **Ivonne Zelaya**

1. See Master Response No. 5 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

22.

From: Charles Moss <chmoss33@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Wednesday, September 06, 2006 2:26:47 PM
Subject: Santa Clara Square Mixed Use Development



I live in Sunnyvale 3 blocks from Kohls. A neighbor passed out a flyer on this project and that is the first any of us had heard of it.

/.
Since we are so close, it seems reasonable that you would be required to notify us of the proposed project.

I am concerned, of course, about several issues that would adversely impact us.

I would appreciate a response from you.

Thanks in advance.

Charles H. Moss
1062 Castleton Way
Sunnyvale, CA 94087
(408) 554-9318

Responses to Letter No. 22, **Charles H. Moss**

1. See Master Response No. 1 for Notification. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

23.



SEP 11 2006

To: Douglas V. Henderson, AICP
City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, Cal. 95050

September 6, 2006

From: Norval Nelson
1099 Bryant Way
Sunnyvale, Cal. 94087

Subject: Environmental Impact Report Santa Clara Square
Mixed Use 3700 El Camino Real SCH# 20003122002

Background: The city of Santa Clara has received a rezoning application for mixed use development of up to 490 residential units, up to 12,300 square feet of office space and 171,000 square feet of commercial/retail space (including the existing Kohl's store). This proposed site is located on the south east corner of El Camino Real and Halford Avenue. The above identified preliminary environmental report has been issued with a deadline of comments to be received by 11 September, 2006.

1. Comments: Basically I have no objections to common use developments. But the part of the environmental report for this project dealing with traffic is of interest to me. The report provides extensive analysis (271 pages of it) of traffic impacts in the city of Santa Clara. It makes no mention of potential traffic impacts to the City of Sunnyvale resident's.

2. Let me provide two examples of my concern. First is the El Camino to Henderson to Bryant Way to Thunderbird Ave. to Burnley to Halford to El Camino two way traffic corridor. It is used extensively by people familiar with the area who wish to avoid the Halford to El Camino intersection. This includes families transporting children to and from Peterson Middle School, people going to and from Kohl's and others, like my self, who do not like the bottleneck at Halford and El Camino. It will not take much time before the new residents figure out what the rest of us have that this traffic corridor is a great way to go if you are going to or from Sunnyvale.

Responses to Letter No. 23, **Norval Nelson**

1. See Master Response No. 1 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 5 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

3. A second example is Lillick Dr. which is another traffic corridor. If you are going south on Thunderbird and want to take a left turn onto Lillick Dr. you have to be very carefully as visibility to the left is limited. Any increase in traffic flow would just exasperate this.

4. To address my concerns I am requesting the City of Santa Clara work with the City of Sunnyvale to incorporate a total traffic flow analysis in the traffic portion of the subject environmental report, not just Santa Clara,. for the planned Santa Clara Square development.

Thank You

Norval Nelson

CC:

Jack S. Whitthaus , Transportation and Traffic Manager, City of Sunnyvale

Sunnyvale City Council Members:

Sunnyvale Planning Commission

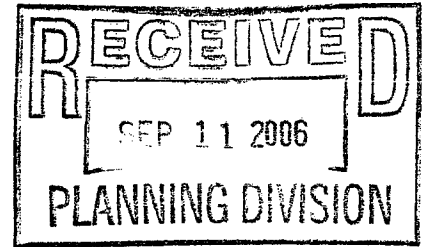
Sunnyvale Public Safety Department

3. See Master Response No. 4 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.

24.

MARTIN BLATNER

3683 EUROPE COURT
SANTA CLARA, CA 95050
408-266-6341
408-266-6116



September 7, 2006

CITY OF SANTA CLARA
PLANNING DEPARTMENT
1500 WARBURTON AVE
SANTA CLARA, CA 95050

I am a resident of the Casa Del Valle community and live on Europe Court, Santa Clara, CA. I received your notice of availability of the draft environment impact report for the Santa Clara Square proposal. Upon review of this report I have concerns in the following areas

1. **Traffic and Noise:** *The extra traffic and accompanying noise may significantly impact El Camino, Lillick, Halford and Lawrence as well as the driveway to the rear of Kohl's.*

The proposed change to change traffic flow on Halford near the Chevron Station would force more traffic south on Halford, where it would have greater impact on existing residence.

2. **Parking:** *The request by the developer for a waiver to allow significant less parking space than would otherwise be required would lead to more on-street parking on Halford and nearby streets.*
3. **Lighting:** *Additionally an increase in parking and traffic flow behind Kohl's would require additional lighting which would create additional glare.*
4. **Air Quality:** *Increased density of housing and associated traffic will have an affect of air quality.*
5. **Land Use:** *The construction density appears to be significantly incompatible with the surrounding neighborhood.*

Sincerely,

A handwritten signature in black ink, appearing to read "Martin Blatner". The signature is fluid and cursive, with a long horizontal stroke at the bottom.

A-135

Responses to Letter No. 24, **Martin Blatner**

1. See Master Response No. 2 for Transportation / Traffic and No. 2 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 4 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

25.

From: <EckRon@aol.com>
To: <planning@ci.santa-clara.ca.us>
Date: Thursday, September 07, 2006 11:17:03 AM
Subject: Comments on Santa Clara Square Development

Dear Mr. Handerson:

Re.: Santa Clara Square, Mixed Use Development

We have lived approximately three blocks west of this proposed project since 1981 and we are extremely concerned over the impact this project will have on the surrounding neighborhoods, with regard to health issues, increased consumer costs and the quality of life in general.

1. The Environmental Impact Report clearly states that during the construction phase there will be an increase in air pollution, noise levels and traffic congestion, and even though these can be mitigated to some extent, they will increase. Those of us in the surrounding neighborhoods are the ones who will suffer both the short and long term effects.
2. After construction, the same report states that the concentration of this number of cars will increase the air pollution, not only locally, but over a wide ranging area. This forces us to endure an even greater potential for long term health effects. This additional pollution also forces consumer costs up due to the need to reduce pollution from other sources such as autos, factories, etc., in order to meet the overall environmental standards.
3. On a more frequent basis we are asked not to drive, not to use electricity, not to use water and not to use natural gas. A project that will consume even more of these resources seems to lack any logical basis. Where are the additional utilities coming from to support this project? Where are the new highways that will carry these people back and forth to work? Where are the new landfills to absorb the additional refuse? Consumer costs and utility rates will have to increase to support this need.
4. We have watched high density housing being developed throughout the county and the result has not been positive. The quality of life that once was very high is fast approaching that of Los Angeles. As mentioned above, our already limited utilities are strained even more, our highways are congested and in terrible shape, more and more money is required to further reduce air pollution, and as more people are packed into a limited space, crime is bound to increase.
5. Once this project is completed, those of us in nearby neighborhoods will suffer significantly increased traffic congestion. Lawrence Expressway and Wolfe Road are already backed up each morning and afternoon during commute times. Commute time will increase resulting in more air pollution and more gasoline being consumed. It will make a bad situation even worse.
6. The only positive that I saw stated in the report is the additional people will support local stores. We live in a very high population density already and if the current population isn't supporting certain local stores, then competitive dynamics will force them out of business. I've never heard the argument that if a particular business is failing, we should move more people into the area to support that business.

SUMMARY:

Responses to Letter No. 25, **Ron Eckert**

1. See Master Response No. 2 for Air Quality; No. 4 for Noise and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Utilities and Service Systems. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 5 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. The comment is acknowledged. No response is required.

7. Negatives to surrounding community:
- increased air pollution
 - increased traffic congestion
 - additional demand on utilities
 - higher costs
 - higher inflation
 - more crime
 - reduced quality of life
8. Positives to surrounding community:
- A few more jobs? This depends on the number of new jobs created by the project versus the number of jobs taken by the new residents.
9. It appears to me that every impact to the surrounding community is negative. There are only two groups that I can identify that will benefit from this project: The owner of the property and the Santa Clara County Tax Collector.
10. All of the above being said, I am a firm believer that a property owner should within reason, be able to do with his property as he pleases. The caveat being that there should be no negative impact allowed to the surrounding community! As a compromise, I recommend that the number of additional housing units be significantly scaled back to a level that has minimal impact. I believe that this number should be no greater than 50 and preferably under 25. The ideal solution is to keep this area zoned for business only. There will still be negatives, but they will be substantially less than those incurred by allowing 490 additional residential units into the area.

Thank you for your consideration of our concerns.

Ron Eckert
1370 Sprig Ct.
Sunnyvale, CA 94087

7. The summary comments are acknowledged. See responses to comment Nos. 1 through 5 above.
8. The comment is acknowledged. No response is required.
9. The comment is acknowledged. No response is required.
10. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

26.

From: Lorraine May <misfire-897@comcast.net>
To: Doug Handerson <dhanderson@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 9:51:09 PM
Subject: Electronic Copy of Comments For 3700 El Camino Real Development Attached

Mr. Handerson,

Pls. find attached my electronic copy of a hard copy letter mailed to your office on Saturday:

September 7, 2006

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Attn: Douglas V. Handerson, Associate Planner

Lorraine May
1143 Cotswald Court
Sunnyvale, CA 94087

Dear Mr. Handerson,

I would like to add the following comments to the Environmental Impact Report for the proposed development of the Santa Clara Square Mixed Use Development at 3700 El Camino Real in Santa Clara. I am a concerned member of the community who will be affected by this project. In order to maintain a beneficial community, city planners also need to examine the needs of the existing community to fit in planned developments. I would like to state that as the EIR now stands, the development does not benefit the community and will significantly negatively impact its livability. Additionally, there are several points in the Environmental Impact Report, that I would like clarification on as well as perhaps further examination of the impact on our community.

- /.
- Primarily, after reading the environmental impact report, I am uncertain as to whether 1672 parking spaces will be enough for 490 residential units, 171, 000 square feet of commercial retail space, and 12,300 square feet of office space. My calculations alone conclude that 2 parking spaces for the 490 residential units each will constitute 980 parking spaces leaving only 692 parking spaces for the rest of the land use. This seems in my opinion, to be a tremendous shortfall, given the kind of use planned for the property. Keep in mind as well, that the number of parking spaces may also fill up even further from the condominiums as many people have more than 2 cars and prefer to use

Responses to Letter No. 26, **Lorraine May**, September 7, 2006

1. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

their garages for storage rather than cars. Perhaps, I am most worried as a close neighbor to the property, what kind of impact this will have on our surrounding streets. With office space, many tenants will need parking spaces all day from 8-5 pm, also using up several hundred parking spaces. Finally, with such a large planned development of commercial and retail space, parking needs may consist of a greater capacity than planned since the property will have restaurants and retail and parking will peak at several times of day including lunch and evening.

2. One needs only to look to the Cherry Orchard development in Sunnyvale as a development that does not provide adequate parking for a mixed land development. In this case however, no outlying neighborhoods are affected as the area is bordered by El Camino Real, Sunnyvale Avenue, and Mathilda Avenues. In our case however, there are many surrounding streets. Our neighborhood is currently affected by congestion and hazardous driving which occurs as motorists exit from Lawrence onto Lillick Avenue, sometimes driving 20-30 miles over the posted speed limit. What will be the impact on our residential streets of adding hundreds, perhaps thousands of cars per day potentially speeding and searching for parking? One suggestion to limit parking from this development onto our streets is for a 24 hour resident parking sticker like the one given to existing neighborhood residents in detached homes who live in the Santana Row area. This will limit parking and keep our streets safer. The other alternative is planning for a much larger number of parking spaces within the development. Most people would prefer to park on site and not walk so far to the development.

3. The other primary concern I have as a neighborhood resident is the impact on the schools. The EIR notes that Laurelwood Elementary School and Peterson Middle School are already close to capacity. Wilcox High School is impacted. The EIR offers no suggestion of how it will address the impact on these schools. Potentially, this project could create an additional 980 students for the district if every unit has 2 children. (Although the EIR only says 250 students.) This impact would be long term because the population will be less transient than that of a rental property. How does the city plan to address this? Will children already in the neighborhood face overcrowded classes, more safety concerns as they walk to and from school, and perhaps even being pushed out of their neighborhood school to accommodate the children coming from this development? How does the city plan to address the additional stress on underfunded schools in the area by adding more students to them?

4. The EIR also states that residents of this development located in Santa Clara will be using Raynor Park and Peterson as recreational facilities. Is the city of Sunnyvale aware that the EIR has listed these facilities? How is wear and tear by Santa Clara residents accounted for on Sunnyvale facilities?

For the residents of the neighborhood, the project creates several important quality of community issues that need to be properly addressed. I certainly hope that as the city plans the development,

2. The comment is acknowledged. No response is required.
3. See Master Response No. 1 for Public Services and No. 11 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 3 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

they will look at the existing needs of the community so the development will make a positive addition. I think all the neighbors would agree that a contemporary development having retail shops and restaurants within walking distance or close by is an added plus, but the land must be developed in harmony with the neighborhood to minimize overcrowding and stress on the existing infrastructure.

Sincerely,

Lorraine May

CC: Tappan Merrick <tapmerrick@yahoo.com>

This Page is Intentionally Left Blank

28.

From: "Murali V" <vmmehar@gmail.com>
To: <planning@ci.santa-clara.ca.us>
Date: Thursday, September 07, 2006 7:52:48 PM
Subject: Santa Clara Square development.



Hi,

We stay in 1396 GAZDAR CT, We have following concerns over the proposed development.

1. Traffic congestion.

Traffic on Burnley will increase.

Should restrict access to Burnley from Halford and the new development. Like divider on Halford Ave beyond Burnley. Which will allow right only from Halford to Burnley, and right only to Halford from new development and right only from Halford Ave to the new development.

No Left from Halford Ave to Burnley or to the new development.

This will avoid people using Burnley.

2. Parking.

Parking on Burnley should be restricted only to Gazdar ct residents.

No Commercial parking should be allowed.

The entrance from Burnley into the shopping complex at intersection of Halford and Burnley should be closed.

No one from the new development should park on Burnley.

3. Surrounding area development.

The Surrounding areas need to be improved (particularly shopping complex at intersection of Halford and Burnley) to represent the new surroundings.

4. Possible increased dumping.

Currently we see dumping and home less people staying on Burnley.

Such activities can increase because of the new development.

Strict rules should be enforced to avoid the above.

5. Security.

Currently we see suspicious characters around the shopping complex of Burnley and Halford. This may increase with the increased activity. Strict security should be enforced in these surroundings.

Thanks

Murali

Responses to Letter No. 28, **Murali V.**

1. See Master Response No. 5 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. The comment is acknowledged. No response is required.
4. See Master Response No. 5 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See response No. 4 to letter No. 20, E. J. Wright and Master Response No. 5 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

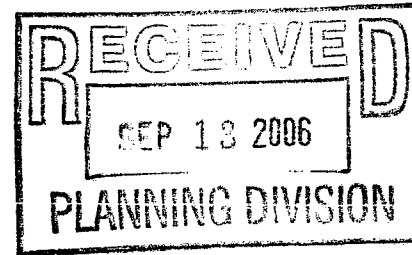
✓ Derek Jewhurst
3605 Brach Way
Santa Clara, CA 95051

29.



September 8, 2006

City of Santa Clara
Planning Department
1500 Warburton Ave.
Santa Clara, CA 95050



To Whom It May Concern:

I am writing you in regard to the proposed development entitled "Santa Clara Square Mixed Use Development." While I am not opposed to seeing the subject area revitalized, I am very concerned at the proposed scope. As a property owner living adjacent to the area in the Casa Del Valle townhouse complex, I have a number of concerns that I do not see properly addressed in the "Draft Environment Impact Report". My concerns are as follows:

1. Aesthetics : There will be a large increase of trash and dirt which will require a nightly street wash. Residents, such as myself, who live directly south will suffer a loss of light from the large buildings. Where is the Sun and Shade Study? The EIR states "These taller buildings will allow for concealed structured parking, 360 degree views of the surrounding bay and mountains, and interior courtyards that provide active and/or passive recreational opportunities." While the view to my north is not perfect, it is, at least, of blue sky and trees - I do not want to look out and see a 6 story eye sore. The EIR says that trees will be replaced but not say whether or not they will blend with the existing trees at Casa Del Valle.
2. Air Quality : Construction will certainly produce a significant amount of dust. The EIR references a "Construction Air Quality Plan" that does not exist and there is apparently no recourse for residents of Casa Del Valle to give input even though we are the "sensitive receptors" referred to in the report.
3. Noise : Project construction will cause a very noticeable and likely irritating noise level. What measures are in place to deal with violations of the proposed construction hours? How long with the construction take? Also, once the buildings are complete, how much of a boost in ambient noise will there be? There is a proposed 6 story building directly behind my property, of which, the first 3 floors are parking - how much noise will this produce despite the use of special grating? What will be done if I car alarm goes off in the middle of the night? What about noise from the residents?
4. Privacy : As it stands now, I have a good amount of privacy in my bedroom and backyard, with the addition of the proposed building VI, this would be gone. I would have never bought this home if the proposed buildings were already there.
5. Traffic : There will be a large increase of traffic on Halford Ave. which will have a significant impact on the residents of Casa Del Valle. Parking is likely to spill over to into the surrounding areas on and around Halford Ave. Also, as a resident living directly behind the retail area in the South-East corner, I am quite aware of considerable number of auto accidents happening on Lawrence Expressway due to traffic merging south-bound from El Camino Real. The increase in traffic from retail and residential vehicles will certainly cause even more accidents. It will only be a matter of time until someone is seriously injured.

6. Value : Nothing in the EIR addressed the impact on the surrounding home values. All of the above concerns

A-149

Responses to Letter No. 29, **Derek Jewhurst**

1. See Master Response Nos. 1, 2, 5 and 6 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 2 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response Nos. 1, 3, 4 and 5 for Noise and No. 1 for Project Schedule. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 2 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response Nos. 2 and 9 for Transportation / Traffic and No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
6. See Master Response Nos. 3 and 4 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

will certainly negatively influence value of the existing homes. What about the types of business that will be present? Do the residents of Casa Del Valle have some input on what will and will not be allowed? Can you imagine a bar or club that serves alcohol and is open late (or adult entertainment) and how that would lessen the attraction of our homes?

As a voter and a concerned property owner, please consider my response when making your decision on the application before you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek Jewhurst', with a long horizontal stroke extending to the right.

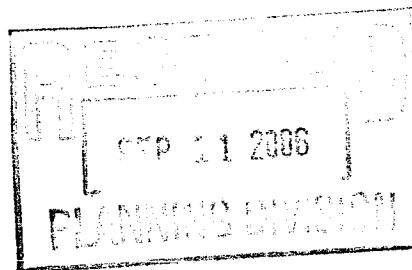
Derek Jewhurst

This Page is Intentionally Left Blank

31.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

31



I (we) am (are) a resident(s) of the Casa Del Valle community and live on 1332 Casa Ct., Santa Clara, CA. After receiving your notice of availability of, and having reviewed, the draft environmental impact report for the Santa Clara Square proposal, I (we) have concerns in the following areas. Please consider my response below when making your decision on the application before you.

1. Noise and Privacy: The current soundwall would not be adequate to keep the noise to the current low level for the residents next to the Kohls back parking lot.
2. Parking: If the parking structure is not big enough, there would be an overflow of parking onto Halford/Lillick. The parking along Lillick is already full due to current residents parking there. If current residents were unable to park on Halford/Lillick due to consumer parking, it would not make the residents too happy!
3. Aesthetics: An 8-story building would look very out-of-place in this area. The area consists mostly of single story & two story buildings.
4. Air Quality: Some residents' backyards are next to the Kohls back parking lot. If the air quality back there changes for the worse, those residents would not be able to fully enjoy spending time in their backyards.
5. Traffic: There would be a significant amount of increased traffic on Halford/Lillick which are only two-lane streets.

Responses to Letter No. 31, **Aaron Weiner**

1. See Master Response No. 2 for Noise. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 3 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Air Quality. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response Nos. 2 and 4 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

6.

Home Values:

An increase of housing at this location may have a
negative impact on homes currently surrounding the location.

Additional Concerns:

Name: ARON WEINER

Signature: [Signature]

Date: 9/8/06

6. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

32.

From: Carol Peluffo <cpeluffo@sbcglobal.net>
To: <Planning@ci.santa-clara.ca.us>
Date: Saturday, September 09, 2006 7:29:07 PM
Subject: Santa Clara Square

32

Hello Mr. Handerson,

After viewing the draft of your project to rezone the area on El Camino Real and Lawrence Expressway, I am thinking that this email will fall on deaf ears.

1. My husband and I have lived in our wonderful home for 20 years now. We walk down to OSH, Kohls (and K Mart when it was there), Chevron, etc. and are very opposed to your 490 residential units, 12,300 square feet of office space, commercial/retail space and 1,672 parking spaces. It has gotten more and more crowded on Lawrence, Wolfe and El Camino and these added homes will only compound the problem. Traffic is horrible now and the commute unbearable.

2. Please reconsider and put in only a few homes--say 50 at the most. We don't like the look of 8 story high buildings in our neighborhood.

3. I found it impossible to get anyone to answer the phone when I called the 615-2450 number last Friday around 4 pm. I did not have success logging onto the website where I can view the draft environmental impact report. I did make copies of the flyer that was left in my mailbox and gave them to other neighbors who I hope will be shouting their strong opposition to this proposal.

Thank you,
Carol and Steve Peluffo
1055 Bryant Way
Sunnyvale, CA 94087

Responses to Letter No. 32, **Carol and Steve Peluffo**

1. See Master Response No. 1 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 3 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. The comment is acknowledged. No response is required.

33.

From: Charlie Zhong <czhong@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Saturday, September 09, 2006 8:40:57 PM
Subject: Santa Clara Square



Hi Douglas,

I received from one of my neighbors the notice of availability of a draft environmental impact report santa clara square mixed use 3700 El Camino Real last week.

1. I live very close to this location, but I have not received this notice directly from the city. I think the city should make effort to make the public be aware of this project.
2. Speaking from my side, I think this project has negative impact on our neighborhood. It increases traffic, puts pressure on our already loaded school system. The potential new residents may make our neighborhood less safe and less quite than now. The construction of the buidlings will also increase the noise and polution of our neighborhood.
3. For the above reasons, I stronly object the project. As a neighbor to the site where the project is to start on, I want to make my voice known to you and the city of sanra clara. Please carefully consider my opinions and those of the other residents in our neighborhood.

Sincerely,
Charlie

Talk is cheap. Use Yahoo! Messenger to make PC-to-Phone calls. Great rates starting at 1¢/min.

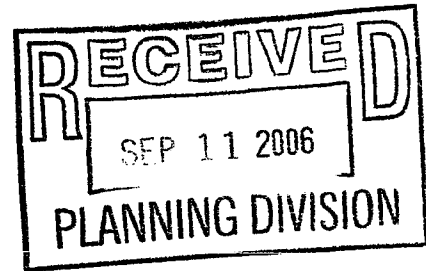
Responses to Letter No. 33, **Charlie Zhong**

1. See Master Response No. 1 for Notification. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Transportation / Traffic, Nos. 1 and 5 for Public Services, Nos. 1 and 4 for Noise, and Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. The comment is acknowledged. No response is required.

34

September 10, 2006

Mr. Douglas V. Handerson, AICP
City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



Re: Development of Santa Clara Square/Interested Parties

Dear Mr. Handerson:

This letter is to express to you and the Santa Clara Planning Commission my displeasure with the proposed construction of Santa Clara Square at the corner of El Camino Real and Halford Street. We purchased our town-home in the Casa del Rey complex (corner of Halford and Lillick) 7 years ago. We chose this neighborhood because the surrounding streets and community felt like the kind of place we wanted to raise our children. It is fairly quiet, yet within walking distance of the supermarket. The streets are safe and our children can ride their bicycles. The schools are good, and the houses are well-kept, with many long-time residents.

1. We feel that putting up gigantic apartment buildings with many units will completely change the look and feel of this neighborhood. With so many cars driving in and out, the traffic will be unbearable. Traffic at the corner of El Camino Real and Halford is terrible with just the new Kohl's, and adding enormous apartments will make it even worse. Now I can let my children ride their bicycles around the block, but I will have to forbid them from riding in the neighborhood if so many extra cars are driving down our streets due to a large apartment and shopping complex.

Our family likes to take walks around the neighborhood, and also up to Albertson's to shop for groceries, but again, with so much traffic and different people coming and going, we won't enjoy our strolls in the neighborhood.

2. We feel that these changes will adversely affect not only the quality of living in the neighborhood, but the value of our homes. This house is our future, and our children's future. We are counting on this house to help pay for our children's college education, and for our retirement, and we are very concerned that our investment is in jeopardy.

3. Please reconsider the size and scale of the development of Santa Clara Square. Perhaps a 3-level building, with restaurants and shops on the ground level would be better suited to this residential neighborhood. Thank you for your thoughtful attention to this matter.

Sincerely,

Maria J. Bardach
1309 Karmen Court
Santa Clara, CA 95051
(408) 260-7714
mjbardach@aol.com

Responses to Letter No. 34, **Maria J. Bardach**

1. See Master Response No. 3 for Aesthetics and Nos. 2, 3, 4 and 11 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 3 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

35.

35

September 10, 2006

Santa Clara Planning Commission

Re: Santa Clara Square Development, File #: PLN2003-04079

Hello,

My name is Keith Stattenfield, and I am president of the Casa del Rey Homeowner's Association. I have lived in Santa Clara for 11 years. I am writing to present the views of our association, which borders the proposed development called "Santa Clara Square." Our association is located in Santa Clara, on the west side of Halford Avenue between Burnley Way and Lillick Drive. See the attached map showing our complex location and the development location. We have forty individually owned town-homes, built in 1977. Most of our units are owner-occupied, have attached garages, two or three floors, and are occupied by single families. About a quarter of our residents have young children; about 10% are retired folks.

We have the following comments on the Santa Clara Square Draft Environmental Impact Report.

Traffic:

1. Our first concern is that this development will markedly increase the traffic along Halford, which many of our homes border, and that this traffic will cause noise and more dangerous conditions for us. In particular, we believe that many Santa Clara Square residents and shoppers will choose to use Halford to get in and out of the complex, and use the Lillick Drive to Halford Avenue path from Lawrence Expressway (and not El Camino Real as the report states). Certain times of day, such as early morning as parents take children to Laurelwood Elementary, we believe that traffic along Halford, Lillick and possibly Burnley will get rather congested.

2. We would strongly request that the development include an entrance and exit for cars into the Lawrence Expressway entrance, at the east edge of the complex, which we think would significantly help out with the traffic problems.

Parking:

3. We notice that the draft report estimates that while 1937 parking spaces should be provided, only 1672 spaces are being created, representing about a 15% deficit. The developer asks to be allowed to qualify under the Transit Mixed Use requirements to allow this deficit, but points out that because of the excessive size of the project doesn't actually qualify. There isn't any parking available on El Camino Real or Lawrence Expressway, so everyone will try to use the very limited amount of on street parking along Halford, Burnley, and Lillick. We already find that on the busiest shopping days during the holiday season that Burnley and Halford are often filled with shoppers using the Kohl's store, and so this will only get worse if the new development under-provides for the expected parking.

4. We also question the recommended two parking spaces per residence, given that the residences being built have one bathroom for each bedroom, thus allowing them to be used more conveniently by all adult residences with likely one car per adult, so that some of the three bedroom apartments may have six cars each. If we make what we think are more realistic estimates of the number of cars per residence we guess 1250 residential

Responses to Letter No. 35, **Casa del Rey Homeowner's Association**

1. See Master Response Nos. 2, 4, 5 and 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 8 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. See response to comment No. 3 above.

spaces alone, leading us to believe that the development should provide 2207 parking spaces.

5. Lastly, given that they are locking off the residential spaces so that the general public can not use them, even during busy shopping times retail and office workers won't be able to use the parts of the parking which are blocked off, even though the residents may be gone for the day, leading to stiff competition for the remaining spaces.

6. **Complex Size and Neighborhood Compatibility:**

In discussing this with our association members, one common thought is that this proposal just seems overly large (both in size and population) for our neighborhood, which is currently composed mostly of one and two story suburban residential buildings. We realize that we exist near the edge of a busy, commercial area, but the proposal, with two 8 story, 95' buildings dwarfs the remainder of the neighborhood. The next nearest buildings this tall in Santa Clara, we believe, are up on Interstate 101 near Great America, and those aren't in a residential neighborhood. We believe that a somewhat smaller building, perhaps in the three to five floor / under 50' development would meld much better with our existing neighborhood. One way to think of this is that at completion and when occupied, 1% of all the residents in Santa Clara will live in this development.

7. **Noise:**

We are concerned that increases in traffic and occupancy along Halford Avenue will spill over and affect us. Many of our town-homes face what will be the new development, and all were built without air conditioning, so it is necessary during the summer to have our windows and sliding doors open to alleviate the heat. Any significant increase in noise or dust, which in turn require windows to be closed, will make living in our homes much less enjoyable.

8. During construction, the developer hopes to limit "noisy" construction to between 7am and 6pm weekdays and 9am to 6pm weekends, but estimate a 40db increase in the noise level at the edge of our complex. We'd prefer to limit any construction which could generate noise outside the build site between 8am and 6pm weekdays and not at all on weekends, and that further restrictions in the noise level can be implemented during the hottest parts of the year.

9. Several years ago we asked the city to prohibit truck parking along Halford, because some trucks making deliveries to the Kmart at that time would park and run their engines all night long, causing some of us to be unable to sleep because of this noise. We request that the existing prohibition on truck parking be maintained on Halford, and that restrictions on late night and early morning deliveries and garbage pickup should match those for a residential area, such as no deliveries before 8am or after 8pm.

10. Lastly, since the new development sits on the edge of an existing residential neighborhood, we would request that stipulations be placed on the types of retail and commercial occupants, so that usage types which would be noisy (especially in the evening and night-time hours) would be prohibited.

11. **Schools and Parks and Public Services:**

We note that the draft report shows all of the area schools as close to capacity or full, and expects to add 250 students to these schools, but doesn't attempt to mitigate this in any way.

5. The comment is acknowledged. See response to comment No. 3 above.
6. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response No. 2 for Noise and No. 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See Master Response No. 4 for Noise. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
9. The comment is acknowledged. No response is required.
10. See Master Response No. 4 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
11. See Master Response No. 1 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

12. The development doesn't really seem to include much in the way of open / shared space for the residents there besides an exercise room and small play area. Our association has a pool, and we already have problems with residents from the apartments across Lillick Avenue jumping over our wall and using our pool, and fear that without suitable recreation on-site that we'll get more of this happening. Our small association, 1/12th the size of this development, has open space equal to half the whole open space provided there.

Summary of our Requests:

We ask that, as neighbors likely to be affected significantly by this development, that it not be approved as described in the current draft. Specifically, we ask that:

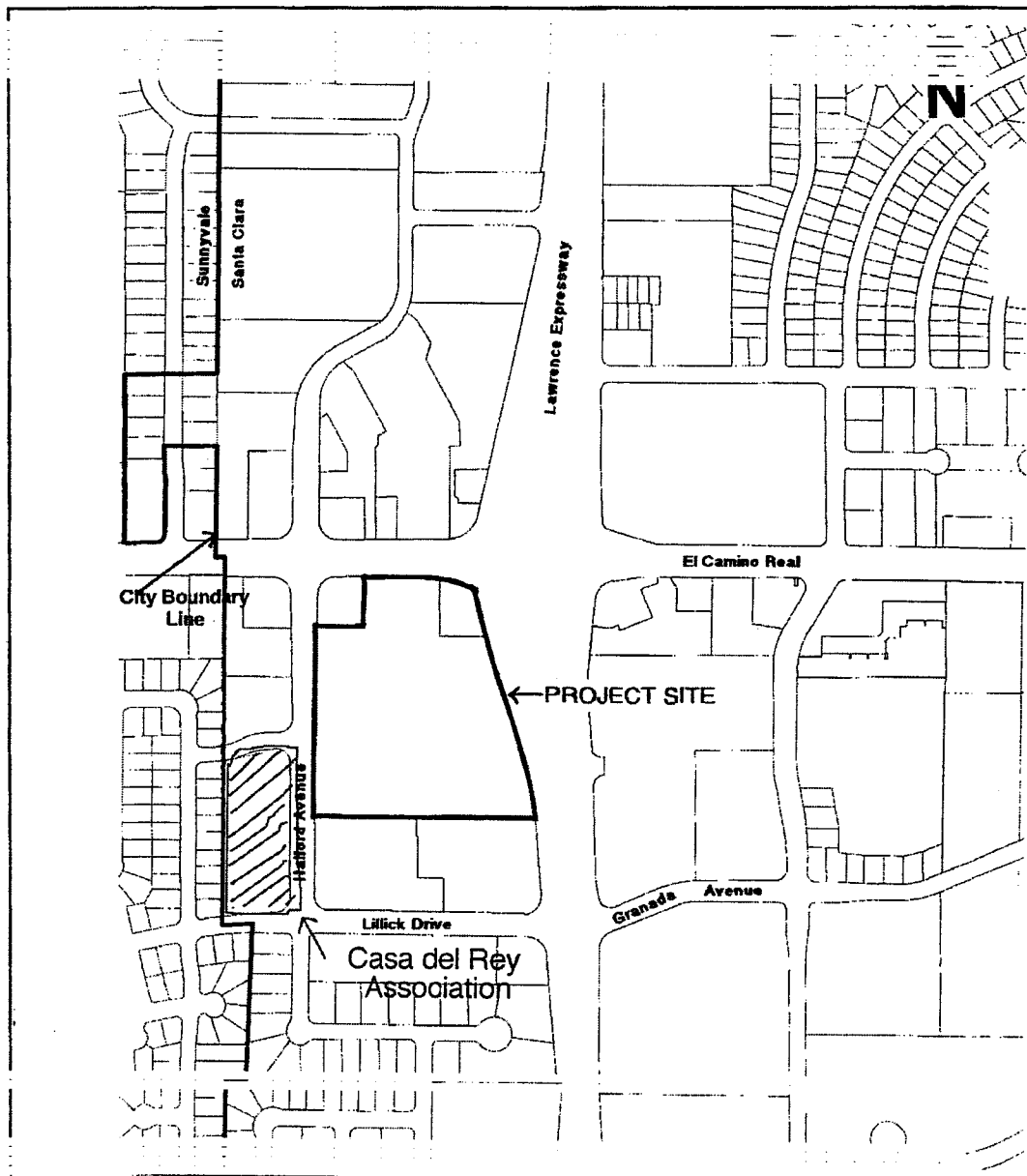
13. - A traffic entrance and exit from the development onto the Lawrence Expressway on-ramp be added, and the traffic plan otherwise modified such as to minimize the traffic going on Halford Avenue.
14. - Parking spaces in the development should meet or exceed Santa Clara's existing standards. The existing prohibition on truck parking should be maintained on Halford, and restrictions on late night and early morning deliveries and garbage pickup should match those for a residential area, such as no deliveries before 8am or after 9pm.
15. - The maximum building height be limited to 5 floors in order to mesh with the existing neighborhood
16. - Construction noise should be limited to reasonable hours for the neighborhood, and those phases that are noisiest and most likely to affect us be limited to 9am to 5pm. Major construction likely to produce noise or dust offsite should not occur during summer months when many of us need to have open windows.
17. - We would like the development to add more in the way of residential open space and amenities. We would like them to further address the impact they expect to have on Laurelwood Elementary and Peterson Middle schools.
18. - We would like our owners to receive the same notifications of use permits as residents in Santa Clara Square

Conclusion:

Many of our comments accentuate areas where we have issues with this proposal, so we want to state that we aren't against any kind of development and actually find many items in this proposal that we like and encourage. Additional retail and office space would be very welcome to us here, and I'm sure many of us would be glad to have additional restaurants and shops available in the area. Housing availability is a huge problem in the bay area, and higher density development is a good way to help the situation. However, in the items we have mentioned in this letter we feel that this particular proposal goes too far and in some cases will negatively affect us in significant ways.

If you have questions about this letter, or our association, please feel free to contact me at Keith Stattenfield, 1395 Gazdar Court, Santa Clara, CA 95051, via phone at (408) 246-6376, or at keith@stattenfield.org

12. See Master Response No. 2 for Public Services. Project residents will not be allowed to use the Casa del Rey pool. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
13. See response to comment No. 2 above.
14. See response to comment Nos. 3 and 9 above.
15. See response to comment No. 6 above.
16. See response to comment No. 8 above.
17. See response to comment Nos. 11 and 12 above.
18. See Master Response No. 2 for Notification. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.



Location of Casa del Rey Howeowner's Association properties

Across Halford Avenue from the project site, in Santa Clara.

This Page is Intentionally Left Blank

36.

36

From: "anyaildi" <anyaildi@msn.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 6:39:24 PM
Subject: Santa Clara Square Project

Subject: Santa Clara Square Project

Dear Mr.Handerson,

/. As a member of the Camino del Prado Association and a resident of Road Runner Terrace I am HIGHLY opposing the 490 residential unit development at 3700 El Camino Real.

Best Regards

Ildiko B. Dihen
1360 Road Runner Terrace # D
Sunnyvale, CA.

Responses to Letter No. 36, **Ildiko B. Dihen**

1. The comment is acknowledged. No response is required.

37.

37

From: "Dunnam" <dunnam5@comcast.net>
To: <planning@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 4:53:05 PM
Subject: Santa Clara Square

Dear Mr. Henderson,

1. We have lived on Thunderbird Avenue in Sunnyvale for 23 years. As I am sure you are aware, Thunderbird Avenue is one street west of the Santa Clara Square development that is in the planning stage on Halford Avenue and El Camino in Santa Clara and will be seriously impacted by this new development. I am deeply concerned by the density planned in the development of this property. I have reviewed the drawings on the website and have read the environmental impact report and, although I am not an expert, common sense tells me that there is not enough room for all that is being planned. I envision the development that the city of Cupertino allowed on the corner of Stevens Creek Blvd and De Anza Blvd and am totally disheartened. How can "The Mission City" even consider such a plan? When I think of the city of Santa Clara; The University, The Mission, the quaint older homes in charming neighborhoods come to mind. Certainly not high rises with a rural area on the 5th floor! It doesn't look to me that the sun can touch the ground between some of the planned buildings. When I think of the area of retail between Halford and where the mechanic's bays from K-Mart where, I can only shake my head. How in the world do you expect to put so much in such a small area? Please reconsider the density of the development. The website makes note of the beautiful views from the eighth floor. That would be a beautiful view into my bedroom, thank you.

2. Do we need housing in this area? Of course, we do. I have children that would love to be able to afford to buy in the bay area, but eight stories high?

3. I am concerned about access to the proposed development. The proximity of the red lights at Lawrence Expressway and Halford can't help but become a problem. The left turn lane onto Halford from El Camino (going North-actually west) will back up. It will be a nightmare. Perhaps on paper, the design is acceptable, but in reality, I can only imagine. It is challenging enough for some as it is.

4. Please take the time to drive past the corner of Stevens Creek and DeAnza Blvd.. I do often. In fact, I drive right by that LeBoulanger and go pick up my bread at the LeBoulanger in Los Altos. Why you ask? There is never a place to park. I can't count the number of times, I have tried to get my car into one of the few parking places in the garage and drive right out and go to Los Altos to get what I need. We don't want that type of development here.

5. At least, take a cue from Mt. View. They have enough sense to build their new homes around public transportation. I see no provision for increased public transportation for these new residents. Where will these new residents park? I have 5 people with cars living in my 4 bedroom house at the moment. That means we have two cars in the garage, two in the driveway and one on the street in front of our house. Where will the extra cars for these residences park? Where will the shoppers park, or will they

Responses to Letter No. 37, **Kathie Dunnam**

1. See Master Response No. 3 for Aesthetics and Nos. 1 and 2 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. The comment is acknowledged. See Master Response No. 3 for Aesthetics.
3. See Master Response No. 3 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

just drive farther and take their retail tax dollars to communities who value the quality of life?

Please reconsider the density of this project.

Kathie Dunnam

1359 Thunderbird Avenue

Sunnyvale, CA 94087

This Page is Intentionally Left Blank

38.

38

From: "Farmanian, Deborah" <deborah.farmanian@bluecoat.com>
To: <planning@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 6:25:19 PM
Subject: Attn Douglas V. Handerson

Santa Clara Square Proposed project.

1. We are nearby residents and are concerned about the proposed planning of the Southwest Sq Lawrence and Halford. We are concerned about the traffic, and the potential retailers who will be allowed to have shop space in this proposed plan. It is obvious that this will become an ethnic retail shopping and living center, much like the Ranch 99 complex in Cupertino.

2. Who will oversee the rental retail space standards? What company is in charge of this project?

3. We are opposed to this structure until further information is revealed.

I will look forward to your response.

Michael and Deborah Farmanian

Santa Clara, CA

Deborah Farmanian

Director Global Events and Travel
Blue Coat Systems
Phone: 408.220.2323
Fax: 408.220.2245
www.bluecoat.com

A-177

Responses to Letter No. 38, **Michael and Deborah Farmanian**

1. See Master Response No. 1 for Transportation / Traffic and No. 4 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. The rental company in charge of the project, at this time, is Alto Enterprises, Inc.
3. The comment is acknowledged. No response is required.

39.

From: Savitha Gandikota <g_savitha@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 11:05:20 PM
Subject: Santa Clara Square Mixed Use Development - Concerns

Hi,

I am a resident of Sunnyvale living close to the Sunnyvale/Santa Clara border. I am writing to express my concern regarding the Santa Clara Square Mixed Use Development Project.

/ The development at such a large scale will have a serious impact on schools, police, fire, sewage and other city services. Not only will it destroy the beauty of the neighborhood but it will have a huge affect on the environment. Pollution levels will reach to a new high. Our kids will not be able to play in our backyards. The noise pollution will be equally bad. Driving in this neighborhood is already difficult as lot of residents use Lawrence Expressway. This is the case both on weekdays and weekends. Addition of this residential and commercial development is only going make it even worse. Lot of school students walk to Peterson Middle school. We have to add additional safeguards to protect them from speeding motorists due to increased traffic. In addition, parking will also become very difficult.

2. Due to all these reasons I (along with neighbors expressing similar concerns) would like to request you to cancel this project.

kind regards,
Savitha

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Responses to Letter No. 39, **Savitha Grandikota**

1. See Master Response Nos. 1, 5 and 4 for Public Services; No. 1 for Utilities and Service Systems; No 2 for Aesthetics; No. 1 for Air Quality; No. 1 for Noise; Nos. 4 and 11 for Transportation / Traffic; and No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. The comment is acknowledged. No response is required.

40.

Doug Hosking
1315 Karmen Court
Santa Clara, CA 95051
(408) 296-2273

September 10, 2006

Mr. Doug Handerson, AICP
City of Santa Clara Planning Department
1500 Warburton Ave.
Santa Clara, CA 95050

Mr. Handerson:

Thank you for the information regarding the proposed Santa Clara Square project. I have carefully reviewed the City of Santa Clara Project Clearance Committee minutes for the June 19, 2006 meeting ("the minutes"), the Draft Environmental Impact Report dated July 19, 2006 ("the EIR"), and the Revised Environmental Noise Assessment dated April 21, 2005 ("the noise study"). Having followed variations of this proposal for several years, *I am more concerned than ever that this proposal, at least in its current state, is fundamentally and fatally flawed.*

1. Keith Stattenfield, President of Casa del Rey HOA, has written a letter to you this month on behalf of our HOA, expressing serious concerns about the Santa Clara Square proposal. In the interests of brevity, I will simply say that I strongly echo the concerns he raises in that letter, and believe those concerns are shared by a great many of the residents of the two townhouse complexes adjacent to the proposed project site.
2. Most of the residents of Casa del Rey HOA (40 units to the southwest of the proposed project site) and Casa del Valle HOA (81 units to the south of the proposed project site) that I have talked with are not opposed to development *in general* at this site. What we most strongly oppose is the proposed density of the current plan, because it is so incompatible with the adjacent residential neighborhood. *To achieve the alleged benefits of this project, it is very important to keep in mind not just the financial desires of the developer but also the needs for compatibility with the surrounding area, including the two immediately adjacent townhouse complexes. The developer has an obligation to fit reasonably into the surrounding environment, not the right to force the surrounding environment to fit into the proposed new development.* Neighbors envision something on the order of 1/3 the proposed residential density.
3. The minutes state a requirement that "*All uses contemplated as part of this Mixed Use Project shall be operated so as not to be objectionable or detrimental to adjoining commercial and residential tenants and adjacent residential and commercial properties.*" "Uses" above should be interpreted to include not only the commercial/retail uses *but also the residential uses*, and that these uses include design factors (*such as unit density*) in addition to daily operational issues. *Please add 'designed and' before 'operated' in the above requirement to help ensure this is properly considered.*
4. Many of the design tradeoffs in this proposal do not seem to sufficiently address the '*where compatible with the existing neighborhood*' aspects of many of the city's General Plan policies and goals. (See EIR pages 28-30.) The EIR only very selectively explains how these would be met. In too many cases I believe the proposal fails to reasonably meet these General Plan policies and goals or to consider the rights and reasonable expectations of Casa del Rey and Casa del Valle residents with respect to privacy, traffic flow and related noise.
5. Notwithstanding the admirable regional and city goals regarding TMU, *there is no credible reason why more than 1% of the total population of Santa Clara (or any density even approaching that) needs to be crammed onto a portion of one lot.* The density proposed seems *absurdly* mismatched with that of the adjacent residential neighborhood and is at least double what any neighbor I have spoken with about this proposal seems to think remotely reasonable for this location. The goals of 'transit mixed use' developments are in part to have higher - *not obscenely high* - density residences near transit lines.
6. In too many cases the density pressure unfairly forces a cascade of safety, aesthetic and quality of life problems upon nearby existing residents. These side effects are all but certain to haunt area residents (existing or new) for many years if the project is approved. Likely negative effects would include sharply increasing problems of noise and traffic flow in the neighborhood, insufficient parking space at the site and overcrowding in the area's schools. *The proposed mitigation for these issues seems insufficient to meet real-world needs*, even though it may meet the letter of the law.
7. As just one obvious example of the density problem, the EIR's page 82 traffic study data projects 920 peak PM hour trips into or out of the project site. That means that a vehicle would enter or leave the site more often than once every four seconds for the entire peak hour. *This traffic level is not remotely compatible with the reasonable expectations of peace and safety at the two adjacent townhouse complexes that border Halford Ave.,* especially since three of the four current access points to the site are also on Halford Ave. and since drivers would be strongly tempted to avoid the remaining (El Camino Real) access point during many hours of the day, shifting

Responses to Letter No. 40, **Doug Hosking**

1. See responses to letter No. 35 from the Casa del Rey Homeowner's Association. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 3 for Aesthetics and No. 1 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process. The Project Clearance Committee minutes are not part of the DEIR.
4. See Master Response No. 2 for Land Use and Planning; No. 1 for Transportation / Traffic; and No. 1 for Noise. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. See Master Response No. 2 for Noise; Nos. 2, 4, 5 and 11 for Transportation / Traffic; No. 1 for Parking; and No. 1 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response Nos. 1, 2 and 3 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

even more traffic onto Halford Ave.

8.

Potential Proposal Improvements

With the Taco Bell and its drive-through paths proposed to be demolished, there is now the potential for an additional site entrance (and perhaps a site exit) to be added from the existing southbound Lawrence Expressway on ramp, in the approximate location of the existing Goodwill collection truck. This site is barely south of El Camino Real, where traffic on the on ramp is typically moving very slowly. Benefits of this new entrance would include shifting a large portion of traffic and noise away from the adjacent townhouse complexes, including reducing traffic need in the alley behind Kohl's, improving traffic flow and reducing the need for U-turns around El Camino and Halford (*recently recognized as one of 4 sites in the city with the highest number of accidents caused by running red lights*), reducing noise impact of trash/recycle trucks, and creating an alternate entrance and staging area for emergency vehicles.

The proposed Building I is an example of what many area residents consider to be reasonable construction density at the site. My major concern with this building is the location, which forces a number of undesirable effects that could be avoided or largely mitigated by moving Building I to 1450-1494 Halford Ave. If this relocation is not done, please develop and implement, as a condition of approval and occupancy permits for the project, a credible plan to achieve equivalent benefits by other means.

This change would shift a good deal of the noise and traffic away from the adjacent existing residences, partially mitigate the density concerns, partially mitigate the parking concerns (by using existing, underutilized parking spaces, both in front of 1450-1494 as well as spaces immediately west of the Burger King lot at 3750 El Camino), be a more natural arrangement of buildings, not create artificial barriers around the emergency exits on the west side of the Kohl's building, provide two additional entrances to portions of the site, including an additional site entrance from El Camino Real, improve traffic flow, including keeping some traffic flow away from the southernmost alley of the project site, and not encourage vagrant camps to be built in the narrow gap behind the proposed site of Building I.

A special benefit of this relocation is that it would avoid the very dangerous proposal (EIR page 13) that Building I occupants and their visitors cross directly through the path of the delivery dock for Kohl's, which is frequented by 18-wheeler drivers who have blind spots when backing up to the dock.

Parking

9. **The parking need estimates seem far from credible.** Given that 3 of the 4 sides of the site perimeter will never allow on-street parking, this is an extremely serious concern to neighbors. **Underestimates about required parking may be essentially impossible to fix later** because of the extremely limited opportunities for parking around the perimeter of the site.

The alleged 14% shortfall from theoretical parking needs seems very understated because of the restricted access levels of the parking garages (EIR page 14), the need for dedicated parking for handicapped residents and customers, the impracticality of using some of the spaces due to their locations, the need for guest/visitor parking spaces for residents, the sharp seasonal variations in need for retail parking space, the trend over time for condo units to become rentals with higher occupant density and the very strong desire of Casa del Valle residents to not permit parking in the area of the southernmost alley of the site. **The alleged 14% shortfall seems to be more than a 25% shortfall with respect to the retail parking needs.** (See city code 18.74.040 (o)) Depending on the specific types of businesses (restaurants, etc.) to occupy the site, even this 25% shortfall could be quite understated. The parking issues need to be remedied before the proposal can be considered credible.

Compatibility

10. The proposed project does not seem compatible with the 250+ children estimated to live on the site. The proposed fee does not in the short term mitigate the problem of overcrowding of schools. The site density, including lack of front yards, back yards or driveways, combined with traffic flows on the surrounding streets, provides children with insufficient safe areas to ride bicycles, play catch, or do other things that children could reasonably expect to do in their neighborhood. The project site is relatively isolated for those who cannot drive and there are relatively few recreational opportunities or areas proposed. Common sense tells us that mixing this many children and 1500+ vehicles on the same densely packed site (with many blind spots for both drivers and pedestrians due to the tight layout) is not prudent. It also tells us that large groups of bored children is an invitation for neighborhood trouble. Older residents would likely also find it frustrating that the project density and layout provides them with virtually no place to escape from children and their noise when they wish to.

11. *I very strongly dispute the assertion on EIR page 89 that the project's impact on traffic in the neighborhood is 'less-than-significant.'* It may be 'less-than-significant' purely from a theoretical road capacity point of view, and that seems how the developer is trying to spin the traffic study, since so much of the traffic study focuses on capacity of intersections far removed from the project site. Common sense says that road capacity is much less relevant in highly residential environments (such as those that border the site of the proposed project) than the number of vehicle or pedestrian accidents attributable to site traffic or the number of times neighbors are

8. The Potential Proposal Improvements comments are noted for the record, and will be considered by the City Council as part of its decision-making process. They are opinions on the project, not on the DEIR. See Master Response No. 8 for Transportation / Traffic.
9. See Master Response No. 1 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
10. See Master Response No. 1 for Public Services and No. 11 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
11. See Master Response No. 5 for Noise and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

annoyed or awoken from a sound sleep by aggressive driving, loud vehicles or car alarms. Traffic flow projections do not seem credible without a better understanding of the types of businesses. Starbucks and barber shops have very different traffic profiles.

12. *The EIR seems less than credible for many other reasons, and therefore to be largely irrelevant as an indicator of current or future conditions. Page four of the geotechnical investigation, which has been posted on the city web site at http://www.ci.santa-clara.ca.us/pdf/collateral/DEIR_SCSquare/GEOTECHNICALINVESTIGATIONANDRESPONSELETTER.pdf discusses a proposal for 4 stories above ground and one below. The resulting analysis referenced in the EIR would thus appear largely irrelevant to the current up to 8 story, on-grade proposal. The EIR traffic and noise studies were apparently largely done in 2002 and 2003, during the dying days of the former KMart at the project site, after the former fabric store closed, and during a major economic downturn that reduced traffic and traffic noise levels in the entire region. The studies also did not seem to consider seasonal variations of shopping (and related spikes in parking need and traffic), or that 1225+ people (including many children or others who can't drive) and the many pedestrians shopping would have obvious impacts on pedestrian traffic across El Camino, slowing vehicle traffic, etc.*
13. *The EIR noise study focuses on noise effects on new construction, with little focus on the effects on existing residents of the adjacent townhouse complexes. I see little consideration that the residents (including many children) and their pets plus presumably hundreds of customers and employees (and vehicles, for most of them) will make potentially significant noise. **While construction techniques for new construction may reduce the noise for residents of the new property, residents of the existing townhouse complexes should not have to reconstruct their homes or avoid their back yards in order to avoid unreasonable noise levels, nor should they be forced to sacrifice the right to have open windows, particularly since a great many of the existing adjacent townhouses do not have any form of air conditioning to make it remotely feasible to have windows closed during the summer.***
14. *The EIR traffic studies discuss in detail traffic flow far from the site yet almost entirely ignore traffic flow around Halford Ave., especially south of El Camino. (Burnley Way, Lillick Drive, etc.) **It seems highly likely that there would be a sharp increase in traffic flow in this area due to drivers trying to avoid the congestion of El Camino Real and its major intersections, and drivers on southbound Halford who are prevented from turning left into the northern Halford entrance of the site due to the proposed median.***
15. *The EIR also ignores many other factors that are much more relevant in residential neighborhoods. One need only drive past Laurelwood school as classes let out for the day and parents arrive (too often double parking) to pick children up to understand that there are more factors to consider than peak traffic flow. **Adding many school-age children to the neighborhood would of course compound this problem.***

Rear Alley

16.

Please shift parking and traffic away from the alley behind the Kohl's building to minimize impact on residents of both existing townhouse complexes and reduce the need for exterior lighting that would be annoying to them. There seems to be a fundamental conflict between the planning department's (very much appreciated) requirements for not bothering the neighbors with glare, the police department's very reasonable requirements for good lighting in parking lots for safety/crime reasons and the developer's goal of very high density. Removing the parking and significant traffic increases from this area and Halford Ave. would go a long way toward making residents of our HOAs more willing to accept some form of new development on this lot.

For parking and traffic flow, the proposal depends heavily on the alley behind the Kohl's building on the southern edge of the project site. *This alley has been blocked by a gate to all but emergency vehicles and trash trucks for years. Opening this path and the (currently almost completely unused) approximately 87 parking spaces behind that building would subject the residents of Casa del Valle who live just on the other side of that alley to unreasonable noise from vehicle traffic at all hours. The proposed new median on Halford Ave. would force even more traffic through this path. Opening this alley would create even more of a traffic flow on Halford Ave., with related noise and safety impact on adjacent residents. Not opening it would put even more absurd pressure on the already apparently insufficient parking capacity of the site. Building at a saner density would resolve both of these issues.*

Please carefully evaluate the practicality of the proposed plan of permitting through traffic along the southern alley, especially in the area closer to Halford Ave., including conformance to city code 17.05.640 (b)'s 'undue hardship' requirement. Noise aside, it appears impractical to allow even one-way, much less two-way, traffic in portions of this area if parking is allowed there. *The proposed parking behind the Kohl's appears in some areas close to Halford to provide unacceptably narrow paths for emergency vehicles, whose drivers would clearly not want to have to fight traffic coming in the opposite direction along a narrow path.*

Fire and Safety Issues

17.

There are obvious concerns regarding evacuating any 95 foot building in an emergency (including helping disabled residents or guests down the multiple levels of parking garages), and the ability to effectively and quickly fight such fires. We trust that the fire department is competent to consider those, but have additional concerns. EIR page 74 claims a very reasonable 3 minute response time for fire crews, but ignores issues such as how long it would take to actually start effective fire fighting operations, given the density and height of the project, congestion from parking, reduced site clearance for rotating and positioning ladders, etc. It also ignores the fact that the increased traffic flow around the site could significantly impede the progress of emergency vehicles approaching not only that

12. The geotechnical analysis was prepared in October, 2003 when the development concept was four stories over one level of underground parking. The project was subsequently revised to a maximum of eight stories with no underground parking. As stated on page 51 of the Draft EIR, the investigation included review of published reports, a surface reconnaissance, drilling and soil sampling, laboratory testing and engineering analysis of the data, and formulation of conclusions and recommendations. A supplemental review letter has been prepared by the geotechnical consultant indicating that the report is still applicable for an eight-story building, which is currently proposed. According to the engineer, additional settlement will have to be taken into consideration due to the additional stories on the building; however, there are no new geologic or soils issues. An update with supplemental recommendations will be provided as part of the design phase. See Text Amendments to section III. G. Geology and Soils.

See Master Response No. 1 for Noise and Nos. 1 and 10 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

13. See Master Response No. 1 for Noise and No. 3 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
14. See Master Response Nos. 2, 4 and 5 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
15. The comment is acknowledged. No response is required.
16. The Rear Alley comments are noted for the record, and will be considered by the City Council as part of its decision-making process. They are opinions on the project, not on the DEIR. See Master Response No. 4 for Aesthetics; No. 3 for Parking and No. 4 for Public Services.
17. See Master Response No. 4 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

site but also that part of the city in general. (Fire crews today often take advantage of Halford Ave.'s relatively light traffic.) *There also seems insufficient width for simultaneous parking and emergency vehicle clearance* in portions of the Halford Ave. end of the alley behind Kohl's (yet another reason why we would not be eager to see that alley opened to parking and general traffic).

This Page is Intentionally Left Blank

Requested Additional Project Approval Conditions

Please require revision of the proposal to address the concerns raised in this document or provide credible, unbiased evidence of why the concerns are not valid. The minutes contain a long list of issues and requirements raised by city staff. All of those seem very reasonable and prudent. I fully support making those requirements for the project. In addition, please add the following:

1. No variances or bonuses of any kind shall be granted for purposes of increasing project density. (EIR page 15) (Extremely limited off-street or other alternate parking is available at this site. On-street parking is impossible on 3 of the 4 lot perimeter sides, providing very limited options for future mitigation if parking need is underestimated.)
2. The project shall not be approved unless qualified city staff successfully complete at least one impartial review whose sole purpose is to consider whether the final proposed project, particularly with respect to its density and impacts on parking, traffic flow, noise and light pollution, is compatible with the existing Casa del Valle and Casa del Rey complexes and the reasonable expectations of the owners and residents of those properties regarding peaceful enjoyment of their homes and the safety of their families, not just the letter of the law. "Complete" in this context shall include appropriate resolution of any concerns raised during that review or otherwise known by the city's review team. The review shall also consider whether it is advisable to put more than one percent of the city's population on this single site.
3. Project traffic flow, both *during* and after construction, shall be shifted away from the two adjacent townhouse complexes to the maximum extent possible, including the addition of the Lawrence Expressway onramp entrance (and exit, if possible) proposed in this document *before* project construction begins.
4. Parking space requirements shall provide for the realistic needs for peak, not just average, parking, including parking needs during holiday shopping seasons, parking needs of visitors and guests of the residents, handicapped parking, etc. No parking space shall count toward the requirements unless there is a reasonable expectation that it would actually be used for its claimed purpose. (A Kohl's customer would not realistically walk around building VI to get to a space that borders Lawrence Expressway.)
5. Restricted access parking spaces or garage levels for residents (EIR page 14) shall not count toward the parking space requirements for retail and office space. (City code 18.74.040 (o)) To avoid unreasonable noise and light pollution impact on residents of the two adjacent townhouse complexes, and in some cases to provide suitable clearance for emergency vehicles, space currently behind 3640-3700 El Camino buildings shall not be used for parking.
6. To avoid unreasonable noise impact on residents of the two adjacent townhouse complexes, the southernmost alley (behind the Kohl's) shall remain closed to parking and traffic other than Kohl's building trash pickup and emergency vehicles.
7. Trash and recycling dumpster locations, collection hours and collection truck paths shall not disturb the peace for residents of the two adjacent townhouse complexes. (Building 6 dumpster locations are quite inconsiderate of Casa del Valle residents.)
8. As per the minutes, the project shall provide for reasonable swimming pool facilities for all residents. (Our townhouse complexes already have trouble with outsiders jumping the fences around our pools. 1225 residents and 250 school age children would be virtually guaranteed to seriously aggravate this problem.)
9. All residents of Casa del Valle HOA and Casa del Rey HOA at the time of any use permit application shall receive the same notice as the minutes currently require for project site residents.
10. The existing ordinance that bans trucks more than 20 feet in length from parking on Halford Ave. between El Camino and Lillick Drive shall remain in full effect throughout the construction and lifetime of the Santa Clara Square site unless otherwise agreed by Casa del Valle HOA and Casa del Rey HOA. Halford Ave. shall not be used for construction staging.
11. The project shall not cause site traffic flow that interferes with the free flow of bus traffic along El Camino. (The El Camino entrance/exit to the site is just past the existing parking pad for the stop for the VTA buses. A significant increase in site traffic may be a problem for the buses, especially during peak traffic hours.)
12. Full speed DSL (high speed internet access via telephone line) service capability shall be provided in the project area and vicinity. (The project site distance from the telephone company central office currently precludes high speed DSL connections. Adjacent Santa Clara residents have had trouble with this for years. New residents should not have to fight this battle. Cable TV and cable modem service is also not mentioned in the EIR but presumably readily available from Comcast.)
13. The speed limit on Halford Ave. between El Camino Real and Lillick Drive shall be reduced to 20 MPH. (due to the project density, related traffic flow, and safety needs of hundreds of children)
14. Project lighting, including sign lighting, shall not annoy residents of the adjacent townhouse complexes.
15. None of the mature pines that border Halford Ave. (EIR page 10) shall be removed or harmed, regardless of replacement ratio, to maintain the limited noise protection they provide from El Camino and Lawrence noise. (The EIR's proposed 2:1 replacement ratio ignores size differences. We can't wait decades for saplings to grow large enough to meaningfully block noise. It should be possible to structure the project such that it is not necessary to remove or harm these trees.)
16. Construction hours and periods shall be limited to those times specified in the minutes. Parking lot sweeping throughout the project lifetime (including ongoing operations shall not be performed between midnight and 7 AM.
17. The project design shall consider energy efficiency. (Forcing air conditioner use due to windows closed to mitigate noise problems is illogical in times of \$70 per barrel oil, in addition to *creating* noise problems for adjacent complex residents.)
18. The developer shall provide evidence of sufficient financial backing to complete the project. (There are too many examples of developers going bankrupt, leaving half-built projects for existing neighbors to deal with for years.)
19. The developer shall provide appropriate areas for dog walking so that residents of the adjacent townhouse complexes are less

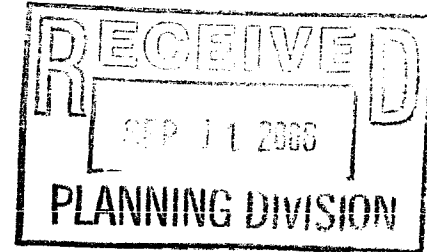
18. The Requested Additional Project Approval Conditions are noted for the record, and will be considered by the City Council as part of its decision-making process. They are opinions on the project, not on the DEIR. See Master Response No. 1 for Transportation / Traffic; No. 2 for Notification; No. 4 for Aesthetics; and No. 1 for Biological Resources. Parking is typically designed and planned for the average required parking demand and not peak periods, which would result in an over-abundance of paving and parking. Trash and recycling enclosures will be subject to the review and approval of the appropriate agencies, to assure pick-up locations can be adequately and easily serviced. Bus stops will be accommodated along the project frontage in conformance with VTA requirements. The City of Santa Clara does not provide internet access for city residents; the inclusion of full-speed DSL will be dependent upon AT&T, Metrofi and/or Comcast marketing recommendations. The inclusion of energy efficient appliances is standard practice and will be included in the design of each unit.

likely to have their lawns used as pet bathrooms.

This Page is Intentionally Left Blank

41. September 10, 2006

Mr. Douglas V. Handerson, AICP
City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



Re: Development of Santa Clara Square/Interested Parties

Dear Mr. Handerson:

I would like to express some disappointment that the proposed Santa Clara Square development plan is substantially beyond what the neighborhood can support. I am not sure why such misalignment exists this far along the process. Although some level of development can improve the situation on that block, this plan goes too far and needs to be scaled back.

1. The plan claims to be within the "character" of the neighborhood. But how could 90' buildings really represent or enhance the surrounding one and two story businesses and residences? The only buildings of such height are clear across town (Great America Parkway and a Santa Clara University dormitory, both appropriate). A much better model of retail co-existing with residential units exists nearby at Flora Vista (Walgreen's and other stores with two stories on top).
2. The adjacent roads are not well suited to the additional traffic. El Camino Real is already quite congested during rush hour, and cars drive through the neighborhood to avoid traffic (Lawrence Southbound to Lillick Drive to Halford, and Lawrence Northbound to Benton to Wood Duck to Halford). Access to this complex should be through the El Camino / Lawrence intersection so that more traffic isn't dumped into the neighborhood. Perhaps the Lillick exit from Lawrence should be closed. It's already a common accident site.
3. The plan states that up to 250 more school age children could become residents. But the local schools at all levels are basically full, so it's not clear where these children would attend school, even if only a fraction of that number exists. Also, with job locations so scattered in the valley, it's not clear that housing density on bus lines is enough to encourage mass transit usage. Finally, the holiday sales events at Kohl's already put parked cars well into the neighborhood, so the minimal accommodations in the plan ought to be reconsidered.
4. Please consider a smaller development plan for Santa Clara Square. Perhaps a 3-level building, with restaurants and shops on the ground level would be better suited to this residential neighborhood, similar to the Walgreen's complex which appears to be successful. Thank you for your attention.

Sincerely,

Colin McCracken
1309 Karmen Court
Santa Clara, CA 95051
(408) 260-7714
ctmccracken@yahoo.com

A-193

Responses to Letter No. 41, **Colin McCracken**

1. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response Nos. 4, 8 and 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Public Services and Nos. 1 and 2 for Parking. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.

42.

From: Keith Stattenfield <keith@stattenfield.org>
To: <DHanderson@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 10:55:49 PM
Subject: Santa Clara Square EIR Repsonse

Doug,

Attached is my and my girlfriend's personal responses, as a resident of Santa Clara, to the Santa Clara Square development. I've also sent this response in via USPS; I'd hope you could include it in the materials being discussed by the planning commission this coming Wednesday. I and a few others intend to attend this meeting, so if you have an agenda and location for the meeting I'd appreciate it.

This response is in addition to the other one I sent you from all of the owners in the Casa del Rey HOA.

Thanks!

-Keith
Keith Stattenfield

===

September 10, 2006

Santa Clara Planning Commission
Re: Santa Clara Square Development, File #: PLN2003-04079

Hello,

We are writing as a home owner in Santa Clara about the proposed development on the existing Kohl's site, named "Santa Clara Square" and with file # PLN2003-04079.

We live in a townhouse in the Casa del Rey Homeowner's Association, and our property lies on the southwest edge of this development, directly across Halford Avenue. From our back window we can see part of what is be the Kohl's building, and we are certain that we will be able to see much of the upper parts of the buildings from our back second story balcony.

1. We have several concerns about this development. Although it will be nice to have more shops and possibly restaurants in the neighborhood to frequent, especially ones which can be easily walked to, the development as a whole seems like it will be large and out of place right next to our ordinary-sized houses.

2. Probably our first concern is that the development isn't putting in enough parking spaces for the expected usage, and that in turn that means that much of the on-street parking which is currently near our houses for us and our guests to use will be filled and in use by people shopping and by residents at night. Our complex has a small amount of guest parking, but we do rely on the ability for guests and even ourselves to park on Burnley Avenue occasionally. Creating a

A-195

Responses to Letter No. 42, **Loretta Beavers and Keith Stattenfield**

1. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

shopping center just across the street with a 100+ parking space deficit would likely mean that the parking along Burnley Way adjacent to our homes, which we've relied on for occasional parking needs will no longer be available. We also sympathize with future residents that will be forced to drive deep into the neighborhood to find parking, or be tempted to park illegally in alleys or private parking lots.

3. Our second concern is that this represents a very significant increase in the density for our neighborhood – another 1000-2000 people, all living across the street, with an extra 200-300 children in Laurelwood Elementary, Petersen Middle and Wilcox High School. All of these schools are currently almost full, and none of them could deal with an extra 100 students a year or two from now when construction finishes. Santa Clara, as a city, can clearly handle another 300 children, but our single neighborhood shouldn't be the only one to bear this increase. Similarly, the few nearby parks and open spaces here shouldn't be deluged with 1,500 more people trying to use them. It doesn't appear that this development is adding anything substantial in the way of amenities for the people who will live there. People deserve a safe and pleasant space for themselves or their children to unwind, especially since the larger units could 6 or more people, which is rather crowded.

4. We also are concerned about the traffic, noise and disruption this will bring to what is currently a pretty nice, quiet and peaceful neighborhood. Our master bedroom opens onto Halford Avenue, and frequently we need to keep our windows and sliding doors on the Halford Side of our house open during the summers to get cross ventilation in our house. If the level of traffic along Halford increases to, as we read, 10-15 cars per minute during the day during the peak hours, we may no longer be able to sleep or do much of anything in our house. We're also concerned about the higher level of pedestrian traffic interacting with the increased auto traffic. It is an unsafe combination.

5. One more thing, which isn't really a concern but something you should think about before approving any more residential in this area of Santa Clara, is that the available internet connectivity in this particular area in Santa Clara leaves much to be desired. I'd hate to think of putting more people onto the meager offerings. Comcast Internet services here are sluggish, I'm told because we're at the edge of a service area and more people are using it than it was designed for. SBC / AT&T doesn't provide DSL service in this area at all, given that we're more than 13,000 feet from the nearest telephone central office, and even MetroFi, which claims to cover all of Santa Clara, has no close presence in our area. Internet access at reasonable speeds is increasingly important these days.

6. Wrapping things up, many of my and Loretta's concerns would be alleviated if the size of this development was scaled down a bit, to something more in line with our neighborhood. If you drive up and down El Camino Real, starting at El Camino and Halford – the western edge of Santa Clara, and head east, about the biggest buildings you'll see will be three or perhaps four stories. If you head up Halford a couple blocks, you'll see two and three story apartment buildings; just south of my house and further west is almost all one and

3. See Master Response Nos. 1, 2 and 3 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response No. 2 for Noise and No. 4 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. The comment is acknowledged. No response is required.

occasional two-story suburbia with single-family ranch homes. Even the buildings in Santana Row, which this feels a bit like to us, aren't eight stories. Nowhere will you see an eight story, 2000 person enclave, and we don't think this is the place to start. Something smaller – three or four floors, with retail on the ground and commercial or residential above, would fit in better, wouldn't be jarring as you suddenly came upon it, and wouldn't overtax the services and neighborhood of our little corner of the city.

7. Thank you for taking the time to read and consider our opinions. We look forward to further discussions on this and what we hope is an eventual compromise. We can be reached with questions at the addresses below.

Sincerely,

Loretta Beavers
Stattenfield
1395 Gazdar Court
Court
Santa Clara, CA 95051
CA 95051

246-6376

@stattenfield.org

Keith

1395 Gazdar

Santa Clara,

408

keith

CC: Keith Stattenfield <keith@stattenfield.org>

7. The comment is acknowledged. No response is required.

43.



From: Stan Tsu
To: <DHanderson@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 12:20:34 PM
Subject: Personal comment on proposed Santa Clara Square development

Stan Tsu

August 10, 2005

To: Douglas V. Handerson, AICP
City of Santa Clara Planning Department
Attn: Santa Clara Square / Interested Parties
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Proposed Santa Clara Square development

Cc: Keith Stattenfield, President, Casa Del Rey Homeowner's Association

Mr. Henderson:

I own a townhome one block south of the proposed Santa Clara Square development on El Camino Real.

1. I concur with the points made by Keith Stattenfield in his letter dated September 9th addressed to you regarding this development on the Kohl's site. There are serious issues this "Manhattan" development brings up that are in conflict with our existing suburban neighborhood.
2. I do not understand why the developers are asking to put up three eight-story 95-foot buildings when the National Building Code for buildings of this height is 50-65 feet and the City of Santa Clara has already told them this.
3. Furthermore, if you drive along El Camino Real, you will note that most developments are single-story and are not multi-function. Putting in the proposed buildings of this scale clearly does not mesh with the neighborhood.
4. In summary, I am against this proposed development as presently configured.

If you have questions about this letter, please feel free to contact me at the above address or phone number, however I ask that my contact information not be released to the general public.

Yours for a better and more unified Santa Clara,

A-201

Responses to Letter No. 43, **Stan Tsu**

1. See responses to letter No. 35 from the Casa del Rey Homeowner's Association. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. The comment is acknowledged. No response is required.
3. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.

Stan Tsu

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

CC: <keith@stattenfield.org>

This Page is Intentionally Left Blank

44.

44

September 10, 2006

Mr. Douglas Handerson, AICP
City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Dear Mr. Handerson:

Re: Santa Clara Square SCH# 20003122002

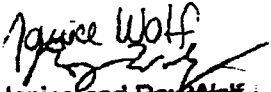
For over twenty years, we have lived close to the Santa Clara border (off Henderson and El Camino). The proposed development of the Kohl's site in our neighborhood is alarming. While we understand the land is very valuable and development likely, we are very concerned about the adverse impact the Santa Clara Square project will have on our community and quality of life. Our concerns fall primarily into three general categories: the schools, traffic and the aesthetics and uniformity of our neighborhood.

1. We have extensive experience with Santa Clara schools. Our 19 year old daughter attended Laurelwood, Peterson, and Santa Clara High School. Presently our two sons are enrolled at Laurelwood Elementary School. The S.C.U.S.D. is currently challenged to meet the needs of its student population. To assert that an additional 250 students would only have a "minimal impact" on already overcrowded local schools is shockingly short sighted. Such remarks lead us to question the adequacy and validity of the Draft Environmental Impact Report for this project.

2. Traffic along El Camino Real in Santa Clara during peak commute hours Monday through Friday is a challenge. It becomes even worse when you factor in evening and weekend shoppers. If an additional 1200 residents, plus business owners and shoppers were added to El Camino Real and Lawrence Expressway, there would be even more traffic and congestion. This is another example of a factor minimized in the draft E.I.R.

3. If you travel down El Camino Real in Santa Clara, you will observe mostly single story or two story dwellings. Santa Clara Square will not fit in with the surrounding neighborhood, either in density or scope. If you must bring this project to life on this specific site, please scale it down to a maximum of three stories so that it fits in with the pre-existing community rather than creating even more overcrowding in our schools, a traffic nightmare and a monstrosity we are forced to live with but bitterly resent. We urge you to consider the needs of the local residents and community before those of the developer and landowner.

Sincerely,



Janice and Roy Wolf
1360-E Roadrunner Terrace
Sunnyvale, CA 94087

A-205

Responses to Letter No. 44, **Janice and Roy Wolf**

1. See Master Response No. 1 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response Nos. 1 and 6 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

45.

From: Ivonne zelaya <dije_z@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Sunday, September 10, 2006 7:33:04 PM
Subject: Kohls Parking Lot construction



Dear Sir or Madam:

1. Please do not allow the construction of an 8-story building in our neighborhood. I have driven all over El Camino Real – there is not even a 5 story building anywhere. Eight stories would be devastating for our neighborhood (behind Burger King).
2. I have read the plans and there won't be enough parking spaces. People will attempt to park in our neighborhood (Burnley and Halford).
3. Our neighborhood is going to put up a big fight. We already have to deal with all the Santa Clara residents driving through our neighborhood to take their kids to Peterson. You will have to completely close Burnley if this plan is approved.
4. Please re-consider. We do not need more traffic on El Camino and Halford. It already is a nightmare.

Thank you.

Everett Zelaya
1338 Thunderbird Avenue & Burnley

Get your email and more, right on the new Yahoo.com

A-207

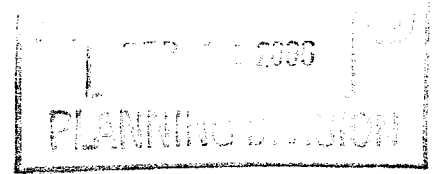
Responses to Letter No. 45, **Everett Zelaya**

1. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 5 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.

46.

46

Michael RK and Sukanya K Alley
3751 Lillick Drive
Santa Clara
CA 95051



Douglas V. Handerson, ACIP
Associate Planner
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

11th September 2006

RE: SCH#20003122002

Dear Douglas Handerson

/.

We are residents of the Casa Del Valle community and live on Lillick Drive. We are writing to you to register our opposition to the present plan for Santa Clara Square. Although we are not opposed to the square being redeveloped as the space is undeveloped, the present plan will cast a large shadow over our community and also vastly increase the amount of traffic on Lillick Drive and Halford Avenue. This increase in traffic will increase the level of air pollution and also make the Lawrence-Lillick junction much more dangerous.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Douglas V. Handerson".

A handwritten signature in black ink, appearing to be "Michael RK and Sukanya K Alley".

Responses to Letter No. 46, **Michael R. K. and Sukanya K. Alley**

1. See Master Response No. 1 for Aesthetics; Nos. 2, 4 and 9 for Transportation / Traffic; and No. 1 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

48.

48

From: Angelo Margozi <margozi@yahoo.com>
To: Douglas Handerson <planning@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 5:52:09 PM
Subject: Kohl's parking lot project

Dear Mr. Handerson:

As a homeowner of 38 years, living just two blocks away from the proposed 8-story building, I am very concerned about the height of the proposed building, the increased traffic and congestion and the increased use of residential streets as escape avenues.

1. The 8-story building is much taller than any in the area except the old Kaiser hospital. The new Kaiser hospital is a sensible 4-stories. This is safer in an earthquake, and it produces less traffic and congestion. An 8-story building would be an eyesore for all the residences in the area. This is a sharp departure from any graduated height plan the city may have had.
2. The traffic and congestion between Halford and Flora Vista is very bad. This project will make it much worse. Between the streets mentioned above, a distance of 625 yards, there are 5 traffic lights. During peak hours it is currently very tedious to travel those 625 yards. This project will add considerably to the congestion.
3. The increased use of residential streets will increase noise, exhaust pollution, and the hazard to children. The location is very close to three schools.
4. I hope that you will take seriously these concerns, which I am sure, are shared by many other homeowners in the area.

Yours truly,
Angelo Margozi
1357 Turnstone Way
Sunnyvale, CA 94087-3737

Responses to Letter No. 48, **Angelo Margozi**

1. See Master Response Nos. 2 and 3 for Aesthetics and No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 2 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 2 for Noise; No. 1 for Air Quality; and No. 11 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
4. The comment is acknowledged. No response is required.

49.



From: Lorraine May <misfire-897@comcast.net>
To: Doug Handerson <dhanderson@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 3:46:49 PM
Subject: Re: Comments on Draft Environmental Impact Report for Santa Clara Square

Mr. Handerson,

Is there a general comment period at planning meetings for residents and concerned citizens at the end of Planning Meetings? It was my understanding that this was so. I would like to comment as well as members of the Casa Del Ray Homeowners association.

/ Also, I would like to add that an exception be made to your 300 foot notification rule. It seems insufficient in this case as large numbers of the homeowners who will be affected by traffic, parking and school capacity issues will be out of the 300 foot area. Could neighbors in the larger area be notified somehow be notified? Perhaps by sending an email to the Birdlandneighbors@yahoogroups.com most people in the surrounding areas will be aware of the meeting.

Thank you so much,

Lorraine May

doug1 wrote:

> On Mon, Sep 11, 2006 at 10:32:40AM -0700, Doug Handerson wrote:

>

>> I wanted to expedite a clarification to you that the City has not yet
>> scheduled any Public Hearings regarding the Santa Clara Square
>> development proposal. There is a September 13, 2006 Planning Commission
>> meeting, but there is nothing on that agenda related to this
>> application. When a Public Hearing is scheduled, property owners within
>> 300 feet will receive a written notice that will be mailed ten days in
>> advance of the Public Hearing. Could you please convey this
>> clarification to your Homeowners Association? Thank you for your
>> input.

>>

>

> Done! Thank you for the clarification.

> One of my neighbors was supposed to drop off some hard copies of various

> letters to your office today. There is one in there from me. It is

> identical to the one you got from me in email this morning.

>

>

>

CC: doug1 <doug1@sonic.net>

Responses to Letter No. 49, **Lorraine May**, September 11, 2006

1. See Master Response No. 1 for Notification; No. 1 for Transportation / Traffic; No. 1 for Parking; and No. 1 for Public Services. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

50.

50

From: "Eileen McGough" <emcg789@earthlink.net>
To: <Planning@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 10:44:58 AM
Subject: Impact Report

To:
9/11/06

Mr. Doug Handerson,

1. The City of Santa Clara's plan to rezone the site where Kohl's department store is located will create a congested eyesore on the corner of El Camino Real. I live on Thunderbird Avenue and I'm firmly against 8 story buildings and 1225 new residents and probably 980 cars (all family's have 2 cars in today's world) squashed onto that site. The impact on Loralwood school is NOT GOOD. The traffic and pollution will be worse. You really don't care about the impact to this entire neighborhood, and it really makes me sick!!!!
2. Our tax dollars pay your salaries.....and don't forget it.
3. Your impact report came to the conclusion you asked for, I'm sure. It is all about more tax revenue for the city. No matter how ugly as long as the city gets more money. This ties in with sustainable development and Agenda 21, too. High density housing.

Eileen McGough
emcg789@earthlink.net
Why Wait? Move to EarthLink.

Responses to Letter No. 50, **Eileen McGough**

1. See Master Response No. 2 for Aesthetics; No. 1 for Public Services; No. 1 for Transportation / Traffic; and No. 1 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. The comment is acknowledged. No response is required.
3. The comment is acknowledged. No response is required.

To Whom This May Concern:

Under a rezoning application currently before the city council, the area surrounding Kohl's department store would be developed as a transit-oriented, mixed-use development including residential, office and retail space, and this would be called "Santa Clara Square" (this proposal shall be referred to herein as *Santa Clara Square*). As written, this is a bad proposal and should be rejected until the concerns outlined in this document are properly addressed. Specifically, issues with: *aesthetics, air quality, land use and planning, noise and privacy, traffic and home values* will be discussed. I will rely on the Environmental Impact Report (herein "EIR"), the General Plan for the City of Santa Clara, private discussions with a city planner and common sense.

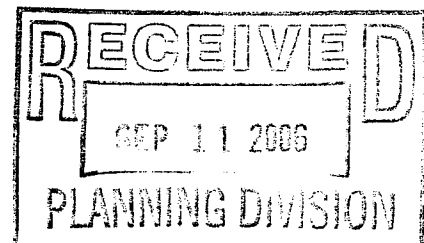
Aesthetics: The EIR identifies what they call "significance criteria" as a measure by which proposed projects are scored. With respect to aesthetics, *Santa Clara Square* would have a significant impact on aesthetics if it:

- "...creates a new source of substantial light or glare that would adversely affect day or nighttime views"
- "...substantially damage scenic resources, not limited to trees"
- "substantially degrade the existing visual character or quality of the site"

The EIR outlines the mitigation plan that *Santa Clara Square* puts forth to address the impact on aesthetics. Specifically, they plan to:

- use downward-directed lights with low elevation standards
- replace approximately 40% of the trees
- sweep and wash streets on a nightly basis
- clear debris and rubbish from all sites visible from a public street

The *Santa Clara Square* mitigation plan fails to address several issues of importance to Casa Del Valle. The plan fails to:



Responses to Letter No. 53, **John T. Reagan**

The introductory comments on this page are acknowledged. No response is required.

1. - Address the loss of light coming into Casa Del Valle, specifically on the units immediately bordering the proposed project. The plan fails to call for a Sun and Shade Study that could be conducted by the Urban Land Institute¹ that would fairly assess the impacts of loss of light on Casa Del Valle. This is a significant issue for the units bordering Kohl's because this is currently the major source of light coming into the units. If this disappears, the units will be very dark.
2. - Provide assurances that the trees to be replaced are consistent with the landscape of Casa Del Valle or that the replacement trees will do anything to ensure the privacy of the units immediately bordering the proposed project. For instance, Casa Del Valle may request that all of the trees along the border with Kohl's be replaced in a fashion that is consistent with the existing landscape of the community.
3. - Address the loss of view for the units immediately bordering the proposed project. While the current view isn't great, I do have an unobstructed view of blue sky and this is pleasant.
4. - Specify a plan to clear debris and rubbish from all sites visible from adjacent communities. It would be a disaster from the perspective of Casa Del Valle if all debris is piled up in plain view of the residents now bordering Kohl's department store.

Air Quality: With respect to aesthetics, *Santa Clara Square* would have a significant impact on air quality if it:

- "...exposes sensitive receptors to substantial pollutant concentrations"

To be clear, the "sensitive receptors" this criterion refers to is us, the residents of Casa Del Valle. Specifically, it is the young children and the elderly.

The EIR outlines the mitigation plan that *Santa Clara Square* puts forth to address the impact on air quality. Specifically, they plan to:

¹ See http://en.wikipedia.org/wiki/Urban_Land_Institute

1. See Master Response No. 1 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 6 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See response to comment No. 1 above.
4. See Master Response No. 5 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

- request the creation and implementation of a Construction Air Quality Plan to outline twelve (12) common dust suppression techniques

The *Santa Clara Square* mitigation plan fails to address several issues of importance to Casa Del Valle. The plan is lacking due to its vagueness:

5. - This Construction Air Quality Plan does not currently exist and there are no provisions for Casa Del Valle resident to have any input to what is acceptable once the *Santa Clara Square* rezoning application is approved.
6. - No specifics are provided on which (or how many) of the twelve (12) dust-suppression techniques are to be employed. And there is no provision for any Casa Del Valle input. For instance, what if the plan calls for the cheapest solutions and these result in excessive dust being generated in the vicinity of the adjacent community? Would Casa Del Valle have any recourse under this plan?

Land Use and Planning: With respect to land use and planning, *Santa Clara Square* would have a significant impact on land use if it:

- “...conflicts with any existing applicable land use plan, not limited to the General Plan,...”

The EIR identifies that *Santa Clara Square*:

- proposes a six (6) story residential complex fifty-five feet (55') from the adjacent community
- suggests that this will improve Santa Clara's job-to-housing ratio

Santa Clara Square clearly violates the intent of the General Plan and does not significantly improve the job-to-housing ratio. Specifically:

7. - The General Plan defines Transit-Oriented Mixed-Use as “...total building height should not exceed three (3) stories including parking within fifty feet (50') from

5. See Master Response Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
6. The comments are acknowledged. No response is required.

7. See Master Response No. 1 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

an adjacent single family home". While *technically* not violating the exact wording of the General Plan, it is obvious to even a child that *Santa Clara Square* clearly violates the intent; that is, do not place extremely large developments next to pre-existing homes. Moving the proposed residential building back five feet (5') and doubling the height of the building is unacceptable.

- 8.
- From the numbers in the EIR, the existing job-to-housing ratio is 2.63. With the numbers presented in the EIR, the new ratio would be 2.59. This amounts to a 1.6% improvement in the ratio, clearly not a significant improvement under any arithmetic.

Noise and Privacy: With respect to noise and privacy, *Santa Clara Square* would have a significant impact on noise and privacy if it:

- "...causes substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project"
- "...causes substantial permanent increases in ambient noise levels in the project vicinity above levels existing without the project"

The EIR outlines the mitigation plan that *Santa Clara Square* puts forth to address the impact on noise and privacy. Specifically, they plan to:

- Build the first three (3) floors of the six (6) unit residential complex with no openings on the wall adjacent to the existing community to minimize noise
- Use special grating to minimize tire squeal and others

The *Santa Clara Square* mitigation plan fails to address several issues of importance to Casa Del Valle. The plan is lacking in several regards:

- 9.
- Neither *Santa Clara Square* nor the City of Santa Clara identifies a timetable for the initiation or completion of this project. In fact, if the rezoning application is approved, there is no requirement to ever finish the development. The EIR identifies that the hours of construction would be from 7am to 6pm M-F and 9am to 6pm on Saturday. They also identify that the expected noise levels during

8. The comment is acknowledged. No response is required.

9. See Master Response No. 1 for Project Schedule. The project will comply with the City Code's restrictions on the hours of construction within 300 feet of any residentially-zoned property. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

construction may be up to 20dBA greater than the existing noise levels. If the existing noise levels at the units now bordering Kohl's are approximately 70dBA, this means that noise levels can be expected to be up to 90dBA. As a point of reference, sound experts subjectively quantify 70dBA as "intrusive", 80dBA as "annoying" and 90dBA as "can cause hearing damage with unprotected 8-hour exposure"². Given that there is no timetable associated for the development and 9 to 11 hour workdays, this is unacceptable. This would seriously impact the salability of the homes now bordering Kohl's department store during this uncertain period.

10.

- *Santa Clara Square's* proposal to deal with non-fixed noise sources is not acceptable. For instance, what happens when a car alarm goes off in the parking structure at 2am? If the rezoning application is approved, the mitigation plan fails to specify what recourse existing residents will have to combat non-fixed noise sources. The police department will be inundated with phone calls to address non-fixed noise sources such as parking structure noise and there is no easy resolution to this type of complaint due to the transient nature of this noise.

11.

- There is no provision in place to restrict the types of office and retail which may be permitted to operate in *Santa Clara Square* adjacent to the existing community. For example, Casa Del Valle would request that certain types of businesses not be allowed to operate because of the potential deleterious effect on home values. Such businesses and restrictions would include: no outdoor sound projection, no adult entertainment, no alcoholic sale adjacent to Casa Del Valle, no business with an outdoor patio facing Casa Del Valle, etc. Also, there is no provision for restricting hours of operation of such businesses. Certainly a bar that is open until 2am would be unacceptable as a business bordering Casa Del Valle.

Traffic: With respect to traffic, *Santa Clara Square* would have a significant impact on traffic if it:

² www.segrp.com

10. See Master Response No. 5 for Noise. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

11. See Master Response No. 4 for Land Use and Planning. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

- "...an increase in critical delay of at least 4.0 s and increase the V/C ratio of 0.010 at City intersections projected to operate at level of E or F"
- "...result in inadequate parking"

The EIR reports that:

- traffic analysis using commonly accepted tools at intersections in the vicinity of *Santa Clara Square* has been performed
- *Santa Clara Square* provides for less parking spots than regulations require and this will require them to apply for a variance

With respect to traffic, *Santa Clara Square* will have a significant impact on the existing communities such as Casa Del Valle. Specifically:

12. - *Santa Clara Square* provides no provision for on-ramp metering from El Camino Real to Southbound Lawrence Expressway. This is already a very dangerous on-ramp and this will be the primary southbound exit point from *Santa Clara Square*. Because the traffic analysis focused on "intersections", they failed to address this on-ramp. This is also particularly troublesome to homeowners of Casa Del Valle because the exit on Lillick Avenue from Lawrence Expressway is how many residents return from work. The lack of on-ramp metering is unacceptable.
13. - The traffic mitigation plan for *Santa Clara Square* also fails to identify any restrictions on adjacent side streets to discourage them from being used as "short-cuts". Some consideration should be given to minimize the impact to the local community.
14. - One of the goals of the Transit-Oriented Mixed Use Developments is to build residential, office and retail complexes near existing transit lines and *Santa Clara Square* aims to do exactly this. And this is admirable. However, it is my personal opinion that people who can afford to buy this type of property are not the kind of people who will be taking the bus to work. These transit lines are largely inconvenient as far as commuting to and from work and as a result, it is my

12. See Master Response Nos. 6, 7 and 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
13. See Master Response No. 5 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
14. The comment is acknowledged. No response is required.

opinion that the estimates of how many people will be taking the bus is exaggerated. And as a result, the traffic impact will be worse than they project.

15.

- With respect to the significance criteria mentioned above, it is my opinion that this is an unacceptable criterion. The way I interpret that is that as long as this new development doesn't cause an "F" traffic situation to degrade to a "F -" then it's not significant. I stand behind argument that says that the City fix the problems it has before considering additional developments which admittedly will only make the problems worse. None of us would settle for this in our daily lives, why should we have to settle for this from our city government?

16.

Home Values: None of the information that I have been able to find addresses what is likely to happen to home values of the existing communities if *Santa Clara Square* is approved. A study could be funded by *Santa Clara Square* to assess the likely impact.

17.

Plan Forward: While I am currently expressing an opinion to reject *Santa Clara Square*, as proposed, let me state that I am in favor of revitalizing the area and that *Santa Clara Square* could be an acceptable solution if the concerns expressed in this document are addressed to the satisfaction of the residents of Casa Del Valle.



John T. Reagan
3635 Brach Way
Santa Clara, CA 95051
johnr@ieee.org
408.983.1256

15. See Master Response No. 1 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
16. See Master Response No. 3 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
17. The comment is acknowledged. No response is required.

54.

From: "Rudy Siri" <rsiri@sbcglobal.net>
To: <Planning@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 8:52:03 AM
Subject: Santa Clara Square Mixed Use Development



Mr. Handerson,

1.

I just heard about the Santa Clara Square Mixed Use Development. After reviewing the facts, I have come to the conclusion that the development will severely impact the surrounding community in a very negative way. I wish to express my opposition to this proposal and urge it's rejection.

2.

I would have been fair for all of the residents in the surrounding area, both Santa Clara and Sunnyvale to be notified about the development by mail. I was not so notified. I hope that any further action with regard to this development will be made known to the residents of the area by mail.

Sincerely,

Rudy Siri
1058 Castleton Way
Sunnyvale, CA 94087

Responses to Letter No. 54, **Rudy Siri**

1. The comment is acknowledged. No response is required.
2. See Master Response No. 1 for Notification. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

55.



From: gordon wilson <gordonwilson55@yahoo.com>
To: <Planning@ci.santa-clara.ca.us>
Date: Monday, September 11, 2006 8:41:22 AM
Subject: Santa Clara Square development

Hello,

/ I have some concerns about the Santa Clara Square development.
They are the same as those expressed by Lorraine May.
She will be at the Sept 13 meeting.
Please listen to her concerns.

regards,
gordon wilson
1334 Spoonbill Way

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

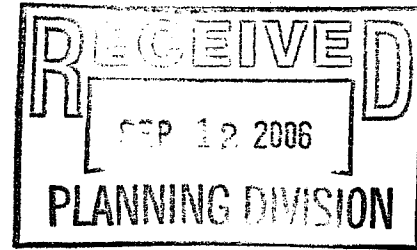
CC: <misfire-897@comcast.net>

Responses to Letter No. 55, **Gordon Wilson**

1. See responses to letter Nos. 26 and 49 from Lorraine May. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

56.

Mr. Douglas V. Handerson, AICP
Associate Planner
City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



Dear Mr. Handerson:

I was recently notified of the Draft Environmental Impact Report posted on the city of Santa Clara website for the 3700 El Camino Real (Santa Clara Square) proposed project. I thoroughly reviewed the report and found a few areas that really caused concern and decided to mail my comments.

My areas of concern center on Land Use and Planning, Noise and Traffic. I have made these headings below and placed my concerns under the appropriate heading. I have tried to document the page of the DEIR which contains the information I am referring to.

Land Use and Planning:

- 1.
- As noted on page 64 in the Potentially Significant Environmental Impacts section of the DEIR text, no other property in the vicinity has such a high population density. Also noted on page 11 in the Project Description section of the DEIR text, the height of the proposed development of eight stories or 95 feet far exceeds the heights of other buildings in the immediate area. A proposed project should match the population density and building height of the surrounding community in order to be compatible.

Noise:

- 2.
- In the Potentially Significant Environmental Impacts section of the DEIR text, almost no analysis work is spent on determining the amount of noise generated by 490 residences and how it affects the homes in the vicinity of the development. On page 72 of the Potentially Significant Environmental Impacts section, only the HVAC units are considered and not the residences. The addition of this many people most certainly will create more noise than today's parking lot.
- 3.
- In the Potentially Significant Environmental Impacts section of the DEIR text, no noise analysis work is done on the increased traffic through the neighborhoods immediately south and west of the proposed project. The increased number of trips through the neighborhoods will result in a noisy environment and a decreased quality of life.

Traffic:

- 4.
- On page six and seven in the Transportation Impact Analysis Appendix, the residential street traffic section fails to analyze a much shorter route in use by motorists today. People wishing to avoid El Camino Real congestion utilize a route involving Henderson Avenue, Bryant Way, Thunderbird Avenue and Burnley Way. This route would see a dramatic increase in traffic not even considered by the study. The increased traffic will result in more noise, less safety at intersections, and a decreased quality of life.
- 5.
- The traffic studies listed in the Transportation Impact Analysis Appendix Table 2 on page 24 which form a basis of the traffic impact analysis are nearly three to four years old. These figures are then used to estimate 2005 traffic listed in Appendix C of the Transportation Impact Analysis. The estimates in Appendix C of the Transportation Impact Analysis fail to incorporate recent developments since 2003 in the calculations. The developments in the vicinity include the new Kaiser Permanente Hospital at Lawrence Expressway and Homestead Road, The increase in traffic due to the Kohl's

Responses to Letter No. 56, **Scott Kidney**

1. See Master Response No. 1 for Land Use and Planning and No. 3 for Aesthetics. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
2. See Master Response No. 1 for Noise. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
3. See Master Response No. 2 for Noise. A just-perceptible increase in noise (3 dB) requires a doubling of traffic volume, which is not going to occur. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
4. See Master Response Nos. 4 and 5 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See response No. 2 to letter No. 51, City of Sunnyvale and Master Response No. 10 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.

store which replaced K-Mart, Best Buy on El Camino Real in Sunnyvale, and Pet Smart on El Camino Real in Sunnyvale.

6. • The traffic studies listed in the Transportation Impact Analysis Appendix also fail to consider the increased traffic associated with transportation of the estimated 250 students outlined on page 75 in the Schools section of the Environmental Impacts section of the DEIR text. While not all students will be transported, a significant portion may be, and will cause a rise in the traffic on the streets between the proposed project and the schools listed in the report.
7. • On the last page of the Transportation Impact Analysis Appendix, a diagram of the proposed median on Halford Avenue is drawn. The median is proposed in such a way to promote motorists who wish to avoid El Camino Real congestion to utilize a route involving Henderson Avenue, Bryant Way, Thunderbird Avenue and Burnley Way. To alleviate this concern, the southern Halford Avenue entrance should be limited to Kohl's loading dock traffic only with fixed barriers and the middle Halford Avenue entrance should be eliminated. The entrance traffic for the proposed project should be kept as close to El Camino Real as possible and not brought into the adjacent neighborhoods.
8. • As listed on page seven of the Transportation Impact Analysis Appendix, the parking calculations do not specify the time of year the numbers were collected. Based on the numbers listed, these calculations do not appear to consider the holiday shopping season. As a resident looking out on Kohl's, I have noticed their parking lot has been extremely full and parking has spilled out on to the streets during the holiday season. The proposed project increases retail space, decreases Kohl's number of parking spaces, and fails to adequately calculate holiday parking projections which will most certainly cause substantial, commercial street parking in the neighborhoods.

Lack of Bike Lanes

9. • Halford Avenue current is very bicycle friendly due to its width and its generally single lane of traffic in each direction. The proposed layout of Halford Avenue as depicted on the last page of the Transportation Impact Analysis Appendix will create a dangerous environment for bicyclists with cars backing out of parking spots and the narrow road due to the parking, three lanes of traffic and the median. All attempts should be made to keep Halford Avenue a bicycle friendly street.
10. I feel all of these areas of concern are accurate and require urgent attention. I look forward to your written reply and would not mind giving input on these issues further. Please contact me if you have any further questions.

Best regards,

Scott Kidney 9-09-2006

Scott Kidney, PE
1349 Thunderbird Ave.
Sunnyvale, CA 94087

Cc: Gerri Caruso, Principal Planner, City of Sunnyvale

6. See Master Response No. 1 for Transportation / Traffic. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
7. The proposed median is designed for safe access and circulation to the project. There is no intent to divert traffic into the surrounding neighborhood. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
9. The comment is acknowledged. No response is required.
10. The comment is acknowledged. No response is required.

57.



From: Tappan Merrick <tapmerrick@yahoo.com>
To: Doug Handerson <dhanderson@ci.santa-clara.ca.us>
Date: Tuesday, September 12, 2006 6:38:16 PM
Subject: 490 unit complex at Lawrence & El Camino

Per your request, I am resending this e-mail as originally drafted. I am now aware that this is not a townhome development, but instead an 8 story condominium project. Most, if not all of my comments still apply. Thank you.

Dear Mr. Douglas Handerson,
I wish to comment on the townhome development planned at the southwest corner of Lawrence Expressway and El Camino Real in Santa Clara (in what one might refer to as the Kohl's' shopping complex).

As far as my "credentials" go, I am a 29 year resident of the Raynor Park/Birdland/Laurelwood neighborhood (bounded by Homestead, Lawrence, El Camino Real and Wolfe), although I do live on the Sunnyvale side of the city limits. I have served in various local youth sports leagues for 19 seasons (including Santa Clara Westside Little league) from coach and officiant to various board positions, including league president. I am currently serving as the chairman of the Save Peterson Field Committee, a neighborhood action group, which was instrumental in getting the Santa Clara Unified School District to reconsider selling 8 acres of Peterson Middle School's 26 acre sports field and instead put out for bid to local youth groups to renovate and maintain. That bidding process is currently underway.

1. Several issues come to mind, which I would like to address. First, though not critical, is the loss of the Taco Bell located there. I had an opportunity to manage that restaurant for 18 months in 1992 and 1993. While I am not sure of it's success in recent years, I do know that at the time I worked there, it was the second busiest Taco Bell in California. It would be too bad to loose it and it's sales taxes to our community.

2. Second, parking appears to be woefully inadequate to accommodate 490 high end units, keep the Kohl's, and build an additional 12 to 15,000 square feet of office and retail office space. Because of the nature of California construction, attics and basements are usually not part of typical construction. Thus, where do residents store their "extra" stuff? Take a look at how many people park in their driveways and on the street and you will soon deduce that it is in their garages. While it really doesn't make financial sense that people save hundreds of dollars of junk in their

Responses to Letter No. 57, **Tappan G. Merrick**

1. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process. The existing Taco Bell restaurant will be given an opportunity to relocate on the site.
2. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

garages while they park their \$20,000 to \$50,000 vehicles out in the weather, it still is what most people do.

In my particular area, there are 12 two-car garage homes, with 25 drivers, accounting for 31 vehicles (that's right, more cars than drivers), and only six garage spots are actually used to park cars. My family accounts for two of the six garage spots used.

The City of Sunnyvale's City Council has just had complaints from residents of a brand new townhome community on Arques (still not completed) complaining of no parking spots available, including street parking, even though there were supposed to be two garage spots and two guest parking spots for each townhome. These people paid about \$700,000 to buy into this "luxury" development. They were told to work it out with their homeowners' association.

My calculations indicate that you need to plan for up to 5 parking spots per homeowner, plus additional parking for Kohl's and the retail/office space still being planned. That's going to mean you will need at least 2,500 parking spots, instead of the 1,600 currently planned.

3.

The third issue is school overcrowding. SCUSD believes that this complex will only add some 50 students to their local schools, a number which they feel that they can handle. Peterson Middle School will definitely be able to handle that load, as Alviso students have moved to a new middle school in the north end of the City. Laurelwood, however, already uses 8 portable classrooms, and is overflowing with children. So if 50 kids move in, then there will be some minor problems. The real question comes when all of the young families start having children, just like in the fifties when our neighborhood was first developed. Now, instead of 50 kids, you have 350 more kids going to Laurelwood. You can't reopen Raynor School, because SCUSD doesn't own it. In fact, the current owner, the City of Sunnyvale, is considering selling the three acre building site off for revenue to the City and more housing (probably to be zoned for more townhomes).

4.

The fourth issue is public parks usage. Apparently some bozo has decided that people living in this new complex will automatically use the Santa Clara City park located next to the fire station on Benton Avenue, or the City's main park on Kiely. This means crossing a very busy Lawrence Expressway. People will go to, and send their kids to the closest park to them, regardless of city borders. They will also insist that their children not cross Lawrence, but

3. See Master Response No. 1 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

4. See Master Response No. 3 for Public Services. The City of Santa Clara does not have the ability to require a developer to donate money to a private group for sports fields. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.

must instead take the safer route to the Sunnyvale parks. That means Patrick Henry, Peterson and Raynor Park, which are all within the City of Sunnyvale's boundaries. Patrick Henry is now closed to all users except for the Sunnyvale Alliance Soccer Club (per contractual agreement with SCUSD). Peterson's field will also be closed to all except whomever wins the bid on that field. Only Raynor Park will be available for public use. Laurelwood School's field has no equipment, backstops or soccer goals, and is fairly unusable for activities. Any complex development the City of Santa Clara is considering should include a financial donation to the winning youth group bid on Peterson Field, to help pay their fair share of future maintenance costs.

Local youth leagues have cooperative agreements to ensure that there is no stacking of teams, or poaching of players between leagues. Pony Baseball, Little League, Pop Warner Football, AYSO Soccer, and CYSA Soccer all have agreements to protect each of their leagues. In absolutely every case, the borders between the Santa Clara and Sunnyvale leagues runs along Lawrence Expressway, and not the haphazard city boundaries.

5. Traffic may dramatically be affected along El Camino, Lawrence, and through the Raynor Park/Birdland/Laurelwood neighborhood. Adding anywhere from 2,000 to 4,000 cars per day along either El Camino Real or Lawrence Expressway will dramatically affect traffic flow during rush hour. Residents getting off Lawrence Expressway from either direction will have to either make a left turn on Halford or a U-turn at El Camino and Halford to get into their complex. Either way, that's going to be much more congested, and there will be many more accidents. Residents hoping to avoid the congestion on Lawrence going south, in particular, will choose to drive through our neighborhood to avoid traffic jams that are created. Which means more speeding, and more accidents in our neighborhood also.

6. Let me suggest a scaled down version of this proposal, instead. Say 300 units, with at least 5 parking spaces per unit. The builder should be required to contribute \$500,000 to the youth group winning the bid to develop Peterson Field. Cooperative, planned growth for the entire neighborhood, instead of jamming every nook and cranny of Santa Clara with as much housing as possible. That's the winning solution.

Thank you for your time.

Respectfully submitted,
Tappan G. Merrick

5. See Master Response Nos. 3, 4 and 5 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
6. The comment is acknowledged. No response is required.

1091 Firth Court
Sunnyvale, CA 94087
work 408-984-2330
tapmerrick@yahoo.com

Do You Yahoo!?

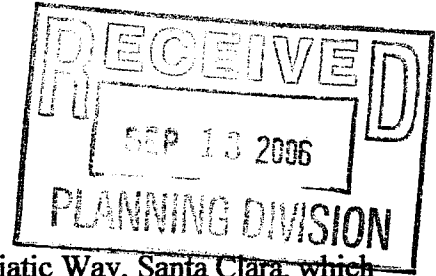
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

A-245

This Page is Intentionally Left Blank

58.

City of Santa Clara
Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050



I'm a resident of Casa Del Valle community and live at 3745 Adriatic Way, Santa Clara, which is located directly along the south side of Kohl's. After reading your Notice of Availability, and having reviewed, the draft of the environmental impact report for the Santa Clara Square proposal, I have concerns in the following areas. Please consider my response below when making your decision on the application before you.

Noise and Privacy:

1.
 - When K-Mart changed to Kohl's there was significant noise ALL THROUGHOUT the night as they renovated and loaded merchandise into the store for ~1 month. This noise would wake me up often. They also used put trash in the dumpsters throughout the night. Therefore, I already know that work done on this project site will directly affect me. I am located directly behind Kohl's.
2.
 - I'm very concerned about the noise both during construction and after the project is completed. What kind of retail/restaurants will be there? Ei. Will there be a bar which will hold hours until 2am??? What hours of operation will the retail store hold? I'm also concerned about the construction schedule (overall time to complete the project and daily hours of operation). I'm concerned as the timetable on this project will be much longer, and I want to know that the city and police are monitoring the builders for compliance with the city regulations (since the smaller project at Kohl's wasn't monitored, in my opinion, as stated in the first paragraph above). What is the overall timetable for this project and what are the specific, daily hours of operation?
3.
 - A very large tree branch, at least 10 feet long, fell into my backyard, hitting my balcony and almost hitting me, in 6/2004. The tree was from the property on Kohl's as I'm on the property line directly behind Kohl's. The Kohl's store manager, Alfredo Montes, told me that Kohl's wasn't responsible for maintaining the trees/property behind them, but gave me the Albert Wong's name at Alpha Investment & Property Management Company as the responsible party. I was simply asking that the tree be examined by an expert to determine the care for that particular tree so it could be either trimmed or possibly removed given its condition. The tree didn't appear to be healthy since a large branch just broke off. I tried to get in touch with Albert Wong from 6/04 to 11/04. I never spoke with Albert as he didn't return any of my calls, but finally spoke with Scott in his office who said the tree would most likely be removed at some point (which I guess is now). I found the map of trees with numbers on them, but am having difficulty specifically identifying that tree to see if it's on the list for removal. Can you help me in identifying the specific tree? It is an amber tree between my property and 3737 Adriatic Way. I do enjoy the trees along the property line as they provide shade and provide a visual block. I do hope the overall wall of trees will be maintained even with the removal of some of the trees.

Lighting:

A-247

Michael...

Responses to Letter No. 58, **Michele Maresca**

1. The comment is acknowledged. No response is required.
2. See Master Response Nos. 1 and 4 for Noise; No. 4 for Land Use and Planning; and No. 1 for Project Schedule. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
3. The comment is acknowledged. See Master Response No. 1 for Biological Resources.

4. I'm concerned that the perimeter lighting at the south end of the site may cause glare on my property or into my bedroom window as the light is 14 feet tall.
5. Parking: I'm concerned that with all the increased housing and retail that the area will become polluted with cars especially those that may park down Halford or even further into the neighborhood toward and onto Lillick.
6. Aesthetics:
I'm concerned about the aesthetics of the area, particularly, related to my property and property value as noted in other areas of this letter.
7. Air Quality:
I'm concerned about air quality especially during construction, as I'm allergic to dust.

Traffic:

8. • I'm concerned about the increased traffic onto Halford especially into the driveway by Kohl's which is very close to my home. One idea may be to block this driveway to keep traffic more north on Halford.
9. • Also behind Kohl's is a space that can be driven down or walked behind. It currently has a metal gate. One idea may be to better block this area off from either foot traffic or as a potential area where vagrants may hang out.
10. • I'm also concerned about the traffic coming off of Lawrence Expressway onto Lillick Drive. I currently hear minimal to no traffic noises while inside my residence and am very concerned that this will change with the proposed project and may decrease my property value.
11. • Are you making Halford into 2 lanes of traffic??? As you turn left onto Halford while traveling down El Camino (toward Sunnyvale), you go from 2 turn lanes on El Camino to one lane/open space on Halford. I also read that you are putting parallel parking on Halford. It doesn't seem that there would be room for Halford to be a 2 lane road and have parallel parking spaces. So is Halford a one or two lane road after your project is complete and is there parking on the street? How close to homes at Casa Del Valle will the parking extend?

Additional Comments:

12. • I'm concerned about increased lighting and reflection toward my home and into my bedroom, which is on the second floor, given the great heights (up to 95 feet) of the proposed buildings.
13. • I read that you are putting double paned windows into the new residences. Given all the construction and new potential for noise, I may need to put double paned windows on my property to decrease the noise within my home (both during and after construction) and to increase my property value to more closely approximate the new homes in my area. This will be a great expense to me, as I am a single, professional who purchased her home ~3 years ago.

Thank you for your time.


Michele Maresca

3745 ADRIATIC WAY
SANTA CLARA, CA 95051

A-249

4. See Master Response No. 4 for Aesthetics. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
5. See Master Response No. 1 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
6. See Master Response No. 2 for Aesthetics and No. 3 for Land Use and Planning. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
7. See Master Response Nos. 1 and 2 for Air Quality. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
8. See Master Response No. 2 for Transportation / Traffic and No. 3 for Parking. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
9. See Master Response No. 5 for Public Services. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
10. See Master Response Nos. 1 and 2 for Noise; No. 3 for Land Use and Planning; and No. 9 for Transportation / Traffic. The comments are noted for the record, and will be considered by the City Council as part of its decision-making process.
11. See the Halford Avenue Conceptual Layout at the end of the transportation impact analysis in Appendix B of the Draft EIR. There is no plan to change the parking on Halford Avenue. The comment is noted for the record, and will be considered by the City Council as part of its decision-making process.
12. See the response for comment No. 4 above.
13. The comment is acknowledged. No response is required.

VI. TEXT AMENDMENTS

Where sections of the Draft EIR have been amended, new wording is underlined and deleted wording is lined out. ~~Deleted.~~

INTRODUCTION

Revise the second paragraph as follows:

The report covers Santa Clara Square LLC's Planned Development rezoning application to allow the construction of a mixed use development of up to 490 residential units, up to 12,300 square feet of office space and up to 171,000 square feet of commercial/retail space on approximately 12.6 acres on the southwesterly quadrant of El Camino Real and Lawrence Expressway. The 171,000 square feet of commercial/retail space includes ~~141,711~~ 147,741 square feet of commercial/retail space that is currently on the site.

TABLE OF CONTENTS

Add the following as the last item under III. Potentially Significant Environmental Impacts:

O. Global Climate Change

Add the following as the second item in Appendix A:

Sanitary Sewer General Plan Text Amendment

Revise the Appendix B – Technical Appendix list as follows:

Geotechnical Investigation, and Response Letter and Review Letter

SUMMARY

Revise the Summary as necessary in accordance with the Text Amendments.

I. A. LOCATION

page 1 Revise the first paragraph as follows:

The project site is located at 3610 and 3700 El Camino Real, at the southwesterly quadrant of El Camino Real and Lawrence Expressway, in the City of Santa Clara. The site includes the following Assessor's Parcel Number(s): 313-06-002 and -004.

I. C. DESCRIPTION

page 11 Revise the second paragraph as follows:

PLANNED DEVELOPMENT ZONING

The project is a Planned Development rezoning application to allow the construction of a mixed use development consisting of single family attached residential units above office and commercial/retail space on approximately 12.6 acres. The project includes up to 490 residential units (including 10 percent affordable housing), up to 171,000 square feet of commercial/retail space and up to 12,300 square feet of office space. The residential units will be separately sold condominiums. The 171,000 square feet of commercial/retail space includes ~~141,711~~ 147,741 square feet of commercial/retail space that is currently on the site. The existing ~~105,000~~ 111,495 square foot Kohl's store will remain and the free-standing restaurant space along El Camino Real and the commercial/retail space east of the Kohl's building will be incorporated into the new commercial/retail space. The buildings to be removed are shown on the following Buildings to be Removed exhibit, Figure 10.

page 11 Revise the fourth paragraph as follows:

The site plan and building massing are designed to create a central entry drive that will be the focus of social activity on site. Two cross aisles will provide access across the site from Halford Avenue. A regular block layout of buildings will organize the site with design focus on the connection between storefronts, sidewalk and drive lane. Building heights will be reduced along El Camino Real (5 stories in height) and particularly along the southerly boundary (6 stories in height and located more than 70 feet from the existing 2-story residential buildings). ~~Eight-story buildings comprised of four-story residential buildings stories with mezzanines-lofts in the uppermost units, are on top of four-level structured parking (95100 feet, 8 inches overall building height, maximum) for are within the center of the project along Lawrence Expressway and the mid-site portion along Halford Avenue away from El Camino Real and the adjacent residential property. These taller buildings will allow for concealed structured parking, 360° views of the surrounding bay and mountains, and interior courtyards that provide active and/or passive recreational opportunities.~~

page 13 Revise the fourth paragraph as follows:

Office

Office condominiums are proposed to be on the second level of a two-story building adjacent to the existing Kohl's at the west edge of the site on Halford Avenue. ~~The parking for this area is intended to be the surface parking at the southern property line.~~

page 13 Revise the fifth paragraph as follows:

Police Substation

Approximately 1,000 to 1,500 square feet of office space is to be reserved for a police substation within the project in the northwesterly corner of Building VI.

page 13 Revise the sixth paragraph as follows:

Residential

The residential units will afford a more urban setting balanced with tranquil courtyards. Buildings II, III, IV, V, and VI will have attractive lobbies providing access up to the units. The lobbies in buildings II and V will feature sales offices, small meeting areas, comfortable sitting rooms and a distinctive entrance, different from the adjacent ground floor retail storefronts. While the units to the exterior of the building will have views of the site and unobstructed views of the surroundings, interior units will have views into the courtyards on top of the structural podium that separates parking from residential floors. These courtyards will provide private open space. It is proposed that a mixture of 1-, 2-, and 3-bedroom units be located on each residential floor with some upper floor units having second floor mezzanine-loft space within each unit, taking advantage of the views of the area.

page 14 Revise the first paragraph as follows:

Unit Types

The units are planned to be one and two-story, light steel frame structures with stucco exteriors. Many units have a private balcony. Proposed unit sizes area as follows:

Plan	No. of Stories	No. of Bedrooms	No. of Baths	Square Footage
Flat	1	1	1	675 to 750
Flat	1	2	2	1,015 to 1,314
Flat	1	3	2 to 2.5	1,350 to 1,273
Loft	2	1 to 3	1 to 2.5	1,100 to 1,450

page 14 Revise the second paragraph as follows:

Recreation Facilities

Private open space and recreation facilities planned with the project include approximately 13,600 square feet on the podium of Building II, 17,600 square feet on the podium of Building V, and 19,300 square feet on the podium of Building VI; amenities each will include a children's playground, small picnic area with grass and small shade trees, paved areas, furniture and different seating areas. In addition, the courtyard of Building V is to have grass areas and "picnic"-style seating areas. The courtyard of Building II is to have children's play equipment. Fitness rooms are also to be included with the project. The project meets City Parks and Recreation Department requirements for open space.

pages 14 and 15 Revise the Parking / Circulation section as follows:

Access

Primary commercial access is to be provided by a right-in, right-out-only driveway at the center of the El Camino Real frontage, maintaining ~~three~~two existing driveways along Halford Avenue. A third driveway adjacent to the southern property line on Halford Avenue will be secured by a gate and will be used for deliveries and emergency access only. A continuous route around the site is provided for fire protection and service. Truck docks, trash enclosures, and maintenance areas are situated in the parts of buildings away from the main entry drive.

pages 14-15 Revise the Parking / Circulation section as follows:

Parking / Circulation

The parking layout and circulation are designed for retail, office and residential ~~uses within multiple access points back to retail shops.~~ ~~To minimize the parking impact on the site, f~~Four levels of structured parking is are proposed in Buildings II and V and three levels in Building VI. The ground level of Building II and the ground and second levels of Buildings V and VI are designated for mixed-use parking for the retail and office uses and as guest parking for the residential units~~fits within the building envelope with the upper levels being secured residential parking only.~~ The secured parking spaces for residential occupants only will be located on the second, third and fourth levels of Building II, the third and fourth levels of Building V and third level of Building VI. There are several points of entry for the parking ~~structureds parking~~ to minimize onsite congestion.

Parking ordinance ratios of 5 spaces per 1,000 square feet of retail space, 3.33 spaces per 1,000 square feet of office space, and 2 spaces for each residential unit would require a total of ~~1,937~~1,876 spaces. The Transit-Oriented Mixed Use Combining Zoning District (TMU District) encourages high density residential use in ~~elose~~proximity to multiple transit lines and in conjunction with commercial development. The TMU District provides for reduced parking because increased transit accessibility and mixed land use can reduce vehicle trips and vehicle demand. The TMU District allows a reduction in parking of up to 15 percent of the required parking spaces. While the proposed project will not be processed as a zoning application under the TMU ~~zoning d~~District because it exceeds the height requirement, it meets the TMU District requirements of being a high density residential use in ~~elose~~proximity to multiple transit lines and in conjunction with commercial development, and would qualify for reduced parking on that basis. The project's proposed ~~1,672~~1,762 parking spaces, that are approximately a ~~14~~6 percent reduction, would, therefore, be sufficient.

In addition to the TMU District reduction comparison, a shared parking evaluation, that is included in the Technical Appendix, was performed by Hexagon Transportation Consultants, Inc. The evaluation is based on survey results compiled by the Urban Land Institute and the methodology presented in their *Shared Parking* guide. The analysis indicates that the parking demand for the proposed land uses is staggered throughout the day. The highest combined peak

parking demand would be between 6:00 p.m. and 8:00 p.m., when 1,520 spaces are needed. The project's proposed ~~1,672-1,762~~ parking spaces would, again, be sufficient. The availability of spaces for shared use ~~is~~ would be 692-919 spaces, or ~~41-52~~ percent. A total of ~~980-843~~ spaces are ~~reserved-secured~~ for residential tenants only (2 spaces per unit).

The Zoning Ordinance Parking Regulations section requires that when there are mixed (multiple) uses on one site or in the same building, the parking provided shall meet Ordinance requirements for each of those uses. However, based on the above discussion of parking reductions available for TMU District projects, the applicant is requesting that a parking reduction of 6 percent be granted. Since this project is not being processed as a TMU District project, A-a Variance to the total number of parking spaces is required in conjunction with the Planned Development zoning to approve the proposed reduction in parking from 1,876 spaces to 1,762 spaces.

A total of 919 spaces will be designated as shared parking between residential, retail and office that will be accessible to the general public. These spaces will be located on the ground level of Building II, the ground and second levels of Buildings V and VI, and along the center aisle and southerly boundary, as shown in the following Parking Analysis Diagram.

page 15 Add the following before Exterior Lighting:

Bicycle Parking

The project will include approximately 35 Class II bicycle racks on the ground level. In addition, there are approximately 208 5-foot x 9-foot Class I bicycle storage lockers located on the third and fourth parking levels of Buildings II and V.

page 16 Add the following after Grading:

Phasing

The estimated completion times of the phases are:

<u>Phase</u>	
<u>1</u>	<u>12 months</u>
<u>2</u>	<u>18 months – cannot be started until Phase 1 is complete</u>
<u>3</u>	<u>24 months</u>
<u>4</u>	<u>24 months</u>

Note: Phases 3 and 4 can be constructed at the same time.

SANTA CLARA PARKING ANALYSIS -

PARKING PROVIDED BY BUILDING

Level	Area	IV	V	VI	TOTAL	(66 compared)
Level 4	116	-	-	-	116	116
Level 3	116	-	-	-	116	116
Level 2	116	-	-	-	116	116
Level 1	116	-	-	-	116	116
TOTAL	448	0	0	0	448	448

TOTAL PARKING BY BUILDING OCCUPANCY

Occupancy	Area	IV	V	VI	TOTAL	(66 compared)
Office	116	-	-	-	116	116
Residential	116	-	-	-	116	116
TOTAL	232	0	0	0	232	232

REQUIRED PARKING BY BUILDING OCCUPANCY

Office	116	116	116	116
Residential	116	116	116	116
TOTAL	232	232	232	232

RESIDENTIAL CALCULATIONS

Office	116	116	116	116
Residential	116	116	116	116
TOTAL	232	232	232	232

TOTAL SPACES REQUIRED

Office	116	116	116	116
Residential	116	116	116	116
TOTAL	232	232	232	232

TOTAL SECURED RESIDENTIAL PARKING

Office	116	116	116	116
Residential	116	116	116	116
TOTAL	232	232	232	232

TOTAL PARKING FOR SITE PROPOSED

Office	116	116	116	116
Residential	116	116	116	116
TOTAL	232	232	232	232

* EACH RESIDENTIAL UNIT IS PROVIDED WITH PARKING WITHIN ITS OWN CORRESPONDING BUILDING GARAGE

KEY

- RETAIL PARKING (OR MIXED)
- OFFICE PARKING (OR MIXED)
- SHARED (MIXED) PARKING AREA
- RESIDENTIAL PARKING (SECURED)

BUILDING NO. KEY PLAN

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

101 CARLISLE ENTRANCE AT RAMP BETWEEN 101 AND 104 PARKING

PROPOSED SANTA CLARA SQUARE Santa Clara, CA

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT REPRESENT ACTUAL SCALE, SIZE, AND LAYOUT. FOR MORE DETAILED SCALE, SIZE AND POSITION PLEASE REFER TO THE LAYOUT PLAN ON SHEET 06 THROUGH SHEET 09.

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

PERKOWITZ + RUTH ARCHITECTS

Parking Analysis Diagram
SHEET 33

SANTA CLARA SQUARE, LLC
21009 Seven Springs Blvd
Cupertino, CA 95014

DATE: 12-10-2017
BY: PERKOWITZ + RUTH ARCHITECTS

PROJECT NO: 17-001
SHEET NO: 33

PROJECT NO: 17-001
SHEET NO: 33

PROJECT NO: 17-001
SHEET NO: 33

PROJECT NO: 17-001
SHEET NO: 33

PROJECT NO: 17-001
SHEET NO: 33

PROJECT NO: 17-001
SHEET NO: 33

pages 17 and 18 Revise the Project Data table as follows:

Table 1. Project Data

Category	Figure
Maximum Building Height (feet)	95 <u>100'8"</u>
Floor Area Ratio (FAR) excluding structured parking	1.5 <u>21.31</u>
Floor Area Ratio (FAR) including structured parking	2.6 <u>52.30</u>
Parking Provided (<i>spaces</i>)	
Residential <u>secured</u>	98 <u>0843</u>
Shared	919
Total	1,672 <u>1,762</u>
Phasing	
Phase One	Building I
Phase Two	Demolition of shops east of Kohl's
Phase Three	Building VI
Phase Four	Demolition of restaurant Police Substation
Residential	Buildings IV and V
Estimated Number of Condominium Units	Demolition of restaurant
One bedroom units	Buildings II and III
Two bedroom units	
Three bedroom units	
Total	6685 3323 <u>34</u> 9271 490
Estimated School Children	
K-12 (0.5 <u>10.11/du</u>)	250 <u>54</u>

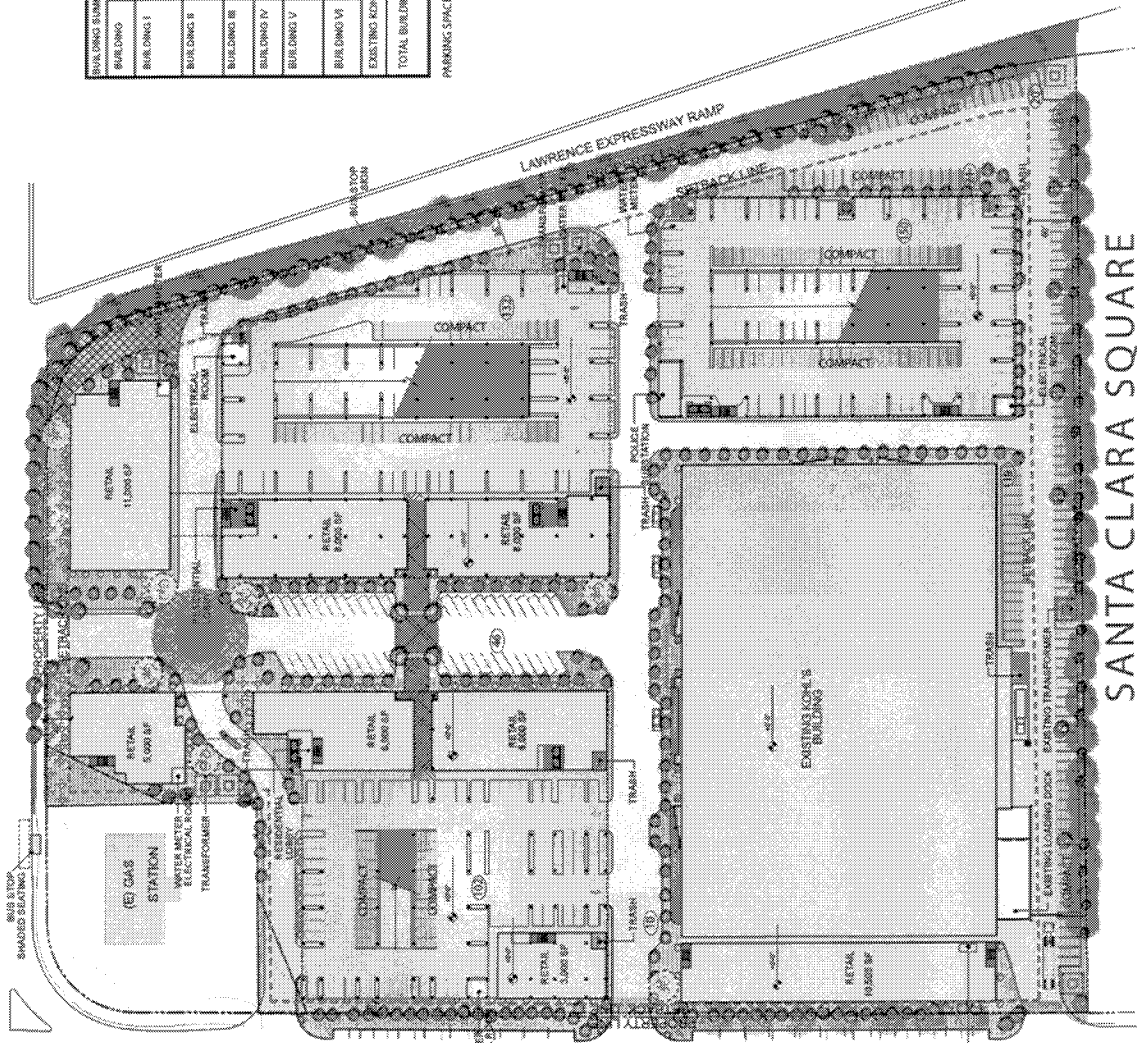
pages 19, 20 and 21 Replace the First Level Plan, Figure 11; Fifth Level Plan, Figure 12; and Eighth Level Plan, Figure 13 with the following plans.

II. B. THE CITY OF SANTA CLARA GENERAL PLAN 2000 - 2010

page 30 Revise the response to the Environmental Quality Element (Open Space) Policy No. 29 as follows:

Private open space and recreation facilities planned with the project include approximately 13,600 square feet on the podium of Building II, 17,600 square feet on the podium of Building V, and 19,300 square feet on the podium of Building VI; ~~amenities each~~ will include a children's playground, small picnic area with grass and small shade trees, paved areas, furniture and different seating areas. In addition, the courtyard of Building V is to have grass areas and "picnic"-style seating areas; the courtyard of Building V will be landscaped with in-ground landscaping, as this building will be designed to accommodate the necessary depth of soil. The courtyards in Buildings II and VI will be landscaped using portable elements like flower bins and potted trees; the courtyard of Building II is to have children's plan equipment. Fitness rooms, community rooms and reading rooms are also to be included with the project.

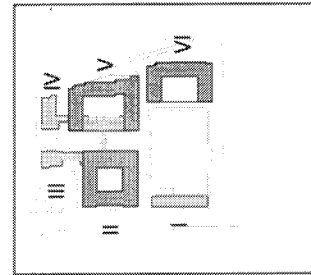
EL CAMINO REAL



EL CAMINO REAL

SANTA CLARA SQUARE Santa Clara, CA

BUILDING NO. KEY PLAN

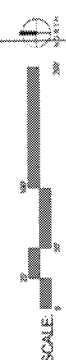


BUILDING SUMMARIES			
BUILDING	OCCUPANCY SCHEDULE/AREA	SQUARE FEET	CONSTRUCTION TYPE
BUILDING I	M (10,000 SF) R (17,300 SF)	27,300 SF	Type IV*
BUILDING II	M (17,000 SF) R (100,000 SF)	117,000 SF	Type I*
BUILDING III	M (10,000 SF) R (17,300 SF)	27,300 SF	Type IV*
BUILDING IV	M (10,000 SF) R (17,300 SF)	27,300 SF	Type IV*
BUILDING V	M (10,000 SF) R (17,300 SF)	27,300 SF	Type IV*
BUILDING VI	M (10,000 SF) R (17,300 SF)	27,300 SF	Type IV*
EXISTING BUILDINGS		117,000 SF	
TOTAL BUILDING AREA		1,153,540 SF	* All sprinklered

PARKING SPACES ON FIRST FLOOR LEVEL: 587

- KEY
- RETAIL
- LOBBY
- PARKING
- VERTICAL CIRCULATION
- OFFICE SPACE
- EXISTING BUILDINGS
- UTILITY
- SHARED AMENITIES
- TRANSFORMER AREA

CLASS II BICYCLE PARKING
locations of approximately 35
on grade bicycle parking spaces
throughout the site. (title block)



THE PLANS AND SPECIFICATIONS FOR THIS PROJECT ARE THE PROPERTY OF PERKOWITZ + RUTH. THESE PLANS AND SPECIFICATIONS ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF PERKOWITZ + RUTH.

Perkowitz + Ruth
ARCHITECTS

JOHN
04/16/11
DATE

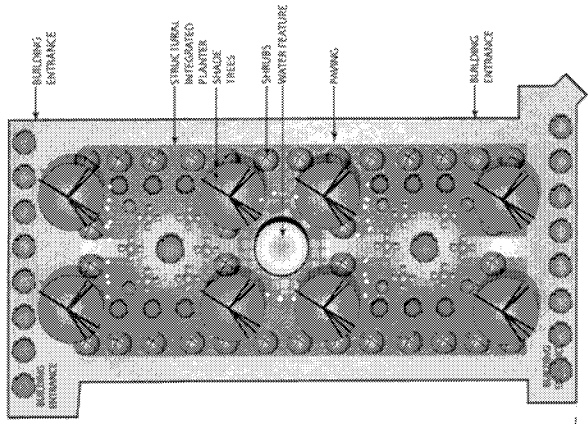
92-4408
SHEET 06

PR
ARCHITECTS

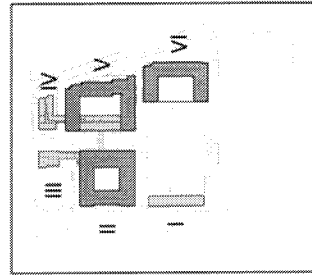
Santa Clara Square, LLC
2100 Seven Springs Pkwy
Cupertino, CA 95014

Santa Clara Square, LLC
2100 Seven Springs Pkwy
Cupertino, CA 95014

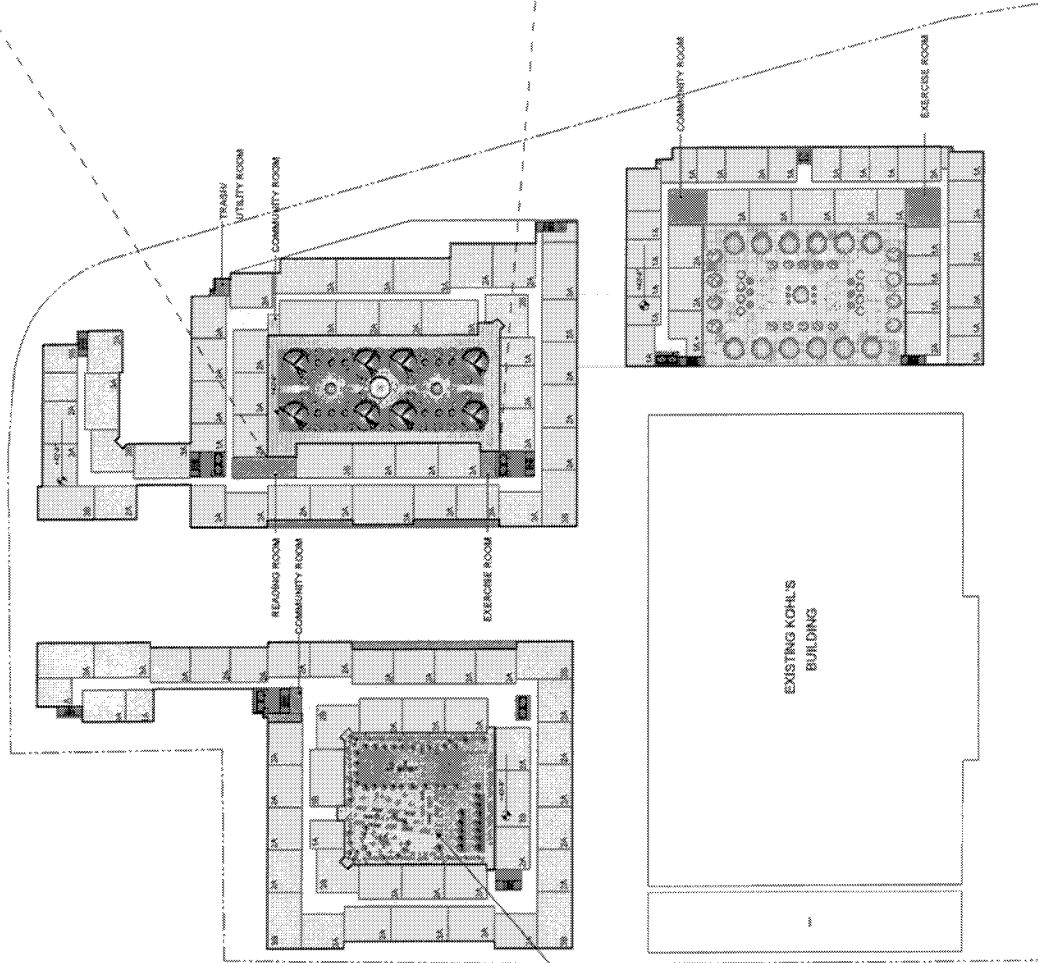
Figure 11



ENLARGED PLAN OF 5TH FLOOR COURTYARD



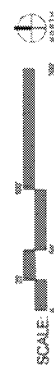
BUILDING NO. KEY PLAN



KEY

[Pattern]	RESIDENTIAL
[Pattern]	LOBBY
[Pattern]	PARKING
[Pattern]	VERTICAL CIRCULATION
[Pattern]	OFFICE SPACE
[Pattern]	EXISTING BUILDINGS
[Pattern]	UTILITY
[Pattern]	STORAGE
[Pattern]	HALLWAY
[Pattern]	SHARED AMENITIES

SEE SHEET 11:
ENLARGED PLAN OF
5TH FLOOR COURTYARD
BUILDING II



THIS DRAWING IS A PRELIMINARY DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION.

Perkowitz + Ruth
ARCHITECTS

600 North 1st Street, Suite 200, San Jose, CA 95131

TEL: 408.281.1111 FAX: 408.281.1112

PERKOWITZ + RUTH ARCHITECTS, P.C.

1001 N. 1ST STREET, SUITE 200, SAN JOSE, CA 95131

TEL: 408.281.1111 FAX: 408.281.1112

PERKOWITZ + RUTH ARCHITECTS, P.C.

600 North 1st Street, Suite 200, San Jose, CA 95131

SANTA CLARA SQUARE Santa Clara, CA

SANTA CLARA SQUARE, LLC
21009 Seven Springs Pkwy
Cupertino, CA 95014

Fifth Level Plan

SHEET 10

JOB NO.
04-01611
DATE
10-22-07
ARCHITECTS

Figure 12

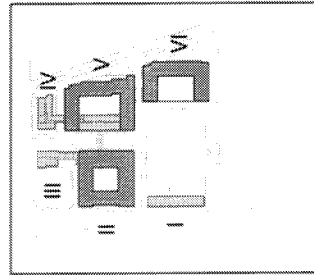
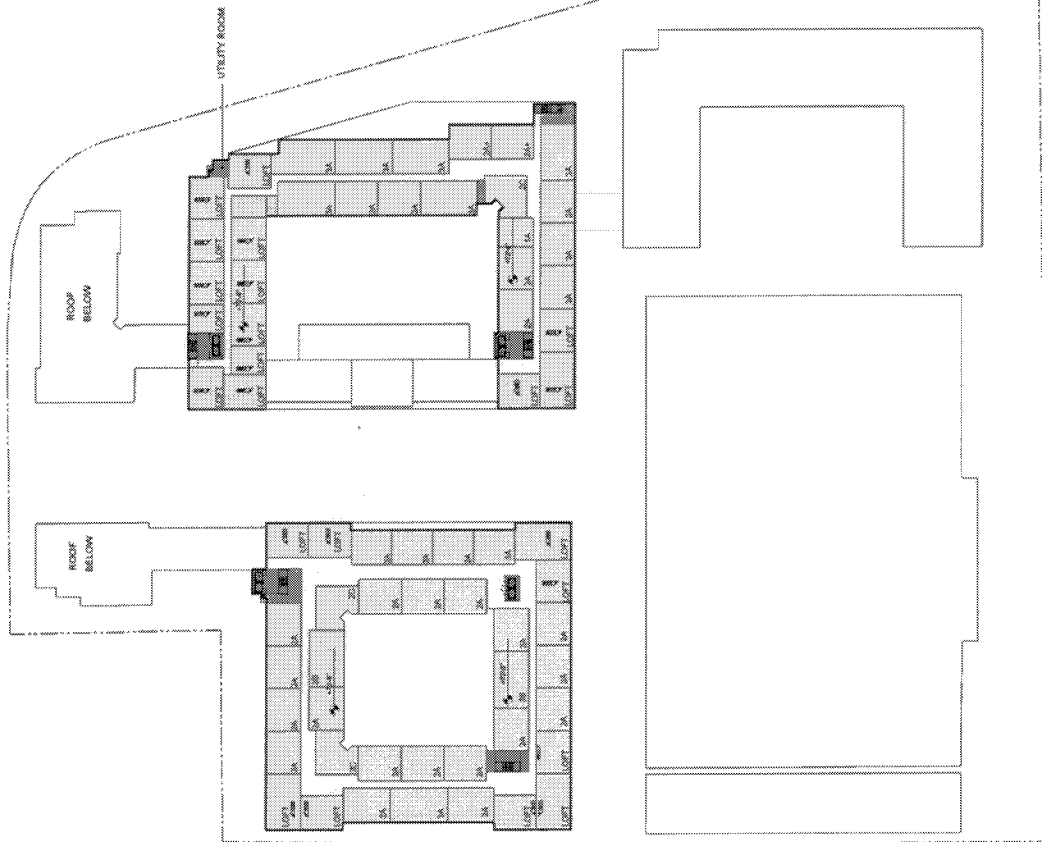
- KEY
- RESIDENTIAL
 - LOBBY
 - PARKING
 - VERTICAL CIRCULATION
 - OFFICE SPACE
 - EXISTING BUILDINGS
 - UTILITY
 - STORAGE
 - HALLWAY
 - SHARED AMENITIES

A-259

SCALE: 0' 10' 20'

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL ROOMS AND AREAS ARE TO BE FINISHED TO THE FINISH LINE.
 4. ALL ROOMS AND AREAS ARE TO BE FINISHED TO THE FINISH LINE.
 5. ALL ROOMS AND AREAS ARE TO BE FINISHED TO THE FINISH LINE.

Perkowitz + Ruth
 ARCHITECTS



BUILDING NO. KEY PLAN

SANTA CLARA SQUARE Santa Clara, CA

SANTA CLARA SQUARE, LLC
 21669 Seven Springs Drive
 Cupertino, CA 95014

Eighth Level Plan

SHEET 14

JOB NO. 0451611
 DATE 08-19-07



ARCHITECTS

Figure 13

III. A. AESTHETICS

page 34 Revise the first paragraph as follows:

The current view of the project site consists primarily of retail commercial establishments, a large parking area, trees and landscaping, which can be seen in the preceding photographs, Figures 8 and 9. All of the buildings in the immediate area are one or two story except for the three-story bank across El Camino Real.

Almost all of the buildings along El Camino Real in Santa Clara to the east and Sunnyvale to the west are one or two stories. There is a three-story mixed-use project in Santa Clara at Flora Vista and there is a four-story hotel and a four-story retirement facility to the west in Sunnyvale.

page 34 Revise the fourth paragraph as follows:

The current view of the site consists of retail commercial establishments, a large parking area, trees and landscaping as shown on the preceding photographs, Figures 8 and 9. The project would remove the restaurant building and the existing frontage parking area along El Camino Real, and construct a high quality mixed use development with street-level ~~office-commercial~~ and/or commercial-office with housing above while keeping the existing Kohl's store. The project would provide prominent entries from El Camino Real and Halford Avenue, and would place the majority of parking out of public view. The existing and future views of the site are shown on the following Conceptual Future Views photographs.

page 34 Add the following after the fourth paragraph:

The proposed buildings would be the tallest buildings on El Camino Real in Santa Clara and the adjacent city of Sunnyvale. The two buildings along El Camino Real are five stories and the two in the center of the site are eight stories. They would be visible from El Camino Real and Lawrence Expressway as well as from the surrounding streets and properties.

page 34 Revise the last paragraph as follows:

Trees

There are 157 trees on the site, as described in section III. D. Biological Resources. Approximately ~~one-third~~ one half of the trees would be removed as part of the project. The trees that are removed would be replaced with new trees at a 2:1 ratio to the maximum extent feasible on the project site or elsewhere in the City.



Existing View



Conceptual Future View

Viewing Northeasterly from Halford Avenue North of Lillick Drive

Conceptual Future View



Existing View



Conceptual Future View

Viewing Southeasterly from El Camino Real West of Halford Avenue

Conceptual Future View



Existing View



Conceptual Future View

Viewing Southwesterly from Lawrence Expressway North of El Camino Real

Conceptual Future View



Existing View



Conceptual Future View

Viewing Northwesterly from Lawrence Expressway South of El Camino Real

Conceptual Future View

page 35 Revise the first and second Mitigation Measures as follows:

Trees

- Approximately ~~one hundred ninety~~ (10090) existing trees along the ~~southwesterly, southerly~~ and easterly site boundaries shall be retained with the project.
- Any tree that is removed shall be replaced by new trees at a 2:1 ratio to the maximum extent feasible on the project site or elsewhere in the City.

III. C. AIR QUALITY

page 37 Revise the first paragraph as follows:

Donald Ballanti conducted an air quality impact analysis that is included in the Technical Appendix. Global climate change is discussed in section III. O. Global Climate Change.

III. D. BIOLOGICAL RESOURCES

page 44 Add the following as the second and third paragraphs:

Raptors

All raptors (i.e., eagles, hawks and owls) and their nests are protected under both Federal and State regulations. The Federal Migratory Bird Treaty Act prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds and bird nests and eggs. Birds of prey are protected in California under the State Fish and Game Code. Section 3503.5 states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the DFG. Any loss of fertile eggs or nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal, site grading, etc., that disturb a nesting raptor onsite or immediately adjacent to the site constitute a significant impact.

The project site contains trees that may provide suitable habitat for tree-nesting raptors; however, no raptor nests are currently known to exist on the site. The site does not provide suitable habitat for burrowing owls.

page 44 Revise the third and fourth paragraphs as follows:

Trees

There are 157 trees on the project site, ranging in diameter from 6 to 28 inches. Approximately ~~one hundred ninety (10090)~~ trees along the ~~southwesterly~~, southerly and easterly site boundaries are currently planned to be retained with the project. Trees to remain would be safeguarded during construction by a Tree Protection Plan, including measures such as the storage of oil, gasoline, chemicals, etc. away from trees; grading around trees only as approved, and prevention of drying out of exposed soil where cuts are made; no dumping of liquid or solid wastes in the dripline or uphill from any tree; and construction of barricades around the dripline of the trees.

~~Sixty-two~~Seventy (6270) trees are planned to be removed with the project, as indicated on the Existing Trees table and Trees to be Removed exhibit in the Technical Appendix. Although this is not considered a significant impact since no Heritage Tree would be removed, any tree that is removed would be replaced with the addition of new trees at a 2:1 ratio to the maximum extent feasible on the project site, as follows:

<u>< 12 inches</u>	<u>15-gallon container</u>
<u>> 12 inches</u>	<u>24-inch box</u>

~~however, d~~Due to the density of the project, there are not a lot of opportunities available to plant new trees. Any trees that cannot be planted onsite will be installed elsewhere within the City limits under the supervision of the City Arborist. The number and locations of the trees will be designated on the project Landscape Plan that ~~is being~~will be prepared, but is not available to incorporate into this report.

page 45 Add the following as the third paragraph:

Raptors

The project site provides potentially suitable habitat for tree-nesting raptors. The site does not currently contain any known raptor nests; however, pre-construction surveys for nesting raptors should be conducted.

page 45 Revise the Mitigation Measures Included in the Project as follows:

Active Raptor Nests

- If possible, construction should be scheduled between September and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than 30 days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately

adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report to the City's Planning Director indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Planning Director prior to the issuance of any grading or building permit.

page 45 Revise the Conclusion as follows:

The project's impact on biological resources would be a less-than-significant impact. Pre-construction surveys for nesting raptors and avoidance and/or mitigation measures if nesting raptors are found onsite would reduce any impact on biological resources to a less-than-significant impact with mitigation.

III. E. CULTURAL RESOURCES

page 47 Revise the first paragraph as follows:

Prehistoric / Historic Resources

There is no evidence of recorded prehistoric and/or historic sites inside the project boundaries, and only one historic site is recorded within 500 feet of the project site. The proximity of Calabazas Creek, however, indicates the project area has the potential for containing buried archaeological resources, in particular under the pavement of the existing parking lots where previous construction-related earthmoving may have been minimal. There is a possibility that unknown subsurface cultural resources may exist on the site. In addition, there is the possibility that unknown subsurface cultural resources may be discovered during the upgrading of the underground electric distribution systems across El Camino Real.

page 48 Add the following as the last mitigation measure:

El Camino Real (SR 82)

- Should construction activities occur in the State right-of-way and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5 (for State-owned historic resources) and Caltrans Standard Environmental Reference (SER) Chapter 2, all construction within 50 feet of the find shall cease; the Caltrans Cultural Resource Study Office, District 4, shall be immediately contacted; a Caltrans staff archaeologist shall evaluate the find within one business day after contact; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of work, inclusion on the California Register of Historic Resources if warranted, preparation of a report, and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Caltrans staff archaeologist.

III. G. GEOLOGY AND SOILS

page 51 Revise the first paragraph as follows:

Terrasearch, Inc. conducted a geotechnical investigation and prepared a response letter and a review letter that is-are included in the Technical Appendix.

NOTE: The December 4, 2003 response letter was included in Appendix B of the Draft EIR, but was not originally noted here. The May 2, 2007 review letter is a new letter that is included in the Appendix of this document.

page 55 Add the following as the first General mitigation measure and revise the first existing mitigation measure as follows:

General

- The geotechnical investigation by Terrasearch, Inc. shall be updated based on the current plans.
- All earthwork and foundation plans and specifications shall comply with the recommendations of the updated geotechnical investigation by Terrasearch, Inc. The current geotechnical report lists approximately 55 recommendations that are included in the project for demolition, grading, excavation, foundations, retaining walls, slabs-on-grade, concrete flatwork, pavement design and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below.

III. I. HYDROLOGY AND WATER QUALITY

page 62 Revise the third and fourth paragraphs as follows:

Stormwater runoff and pollution can be reduced by the use of bioswales and pervious paving a combination of interlocking pavers, pervious concrete or asphalt pavement, and grass pavers. ~~Bioswales are open, shallow channels with vegetation covering the side slopes and bottom that collect and slowly convey runoff flow to downstream points.~~ Pervious paving Interlocking pavers, pervious concrete or asphalt, and grass pavers reduces runoff by allowing a portion of water to filter into the natural ground. They ~~both also~~ reduce the quantity and improve the quality of runoff.

~~The project includes bioswales along the easterly, southerly and westerly perimeters and a~~ All of the surface pavement in the project will be pervious pavement interlocking pavers, pervious concrete or asphalt. The fire lane along the easterly boundary will be grass pavers. Runoff from impervious areas (roofs and concrete sidewalk) will be drained onto pervious areaspavement and routed to the bioswales and then a perforated pipe system below the swales that will connect to the storm drainage system. The calculations to meet C.3 requirements and the plan showing the bioswales pavement types are included in the Technical Appendix. Additional, more detailed, plans and calculations will be provided with each phase prior to the approval of a grading permit to show that it conforms to C.3 requirements.

page 63 Revise the second Water Quality Project Mitigation Measure as follows:

- The project shall incorporate the following site design, source control, and treatment measures to minimize the discharge of stormwater pollutants:
 - ~~• Bioswales shall be incorporated into the stormwater drainage design.~~
 - Pervious paving—A combination of interlocking pavers, pervious concrete or asphalt pavement, and grass pavers shall be used throughout the project to meet C.3 requirements, to the satisfaction of the Street / Storm Maintenance Superintendent.
 - Roof drains shall discharge and drain to the pervious pavement.
 - Detailed plans shall be provided with each phase of the project prior to the approval of a grading permit to meet C.3 requirements, to the satisfaction of the Street / Storm Maintenance Superintendent.

III. J. LAND USE AND PLANNING

page 64 Revise the third and fourth paragraphs as follows:

Existing Use

The project site is currently commercial. All of the structures on the site are single story, although Kohl's has a partial interior mezzanine. Previous uses of the site include: rural residential and/ or agriculture.

Surrounding Uses

Land uses surrounding the project site include: transportation (El Camino Real) and retail commercial to the north and northwest; transportation (Lawrence Expressway) to the east; and single family attached moderate density residential to the south and southwest. The structures in the surrounding area are all one or two story except for the three-story bank across El Camino Real.

page 65 Revise the first paragraph under Impact and Mitigation as follows:

Compatibility

The project would ~~change~~ make the land use on the site conform to the General Plan land use designation by changing from commercial use to mixed residential, office and commercial use in accordance with. The 5-, 6- and 8-story buildings would be the tallest buildings on El Camino Real and in the area. Building VI is the closest building to the southerly boundary and is set back 53 feet. There is an existing 8-foot masonry wall along the property line and a row of 20- to 40-foot-tall trees that will be supplemented with new trees where needed.

The proposed project would provide site entry points and onsite circulation to minimize offsite traffic congestion, and would incorporate lowered building massing along the existing residential development to the south and existing and/or new tree screenings along the southwesterly, and southerly ~~and easterly~~ site boundaries to promote compatibility with the

existing residential areas to the south and southwest. With the incorporation of these measures, the proposed mixed residential, office and commercial use would be compatible with the surrounding area. Development of the project site would introduce new buildings, parking areas and landscaping to the area. These uses would change the view of the site and would generate increases in traffic, noise and air pollution in the area that would not be significant.

pages 65 and 66 Revise the second and third Mitigation Measures as follows:

- The project buildings shall have a ~~55~~53-foot setback from the southerly property line.
- Existing ~~and/or~~ new tree plantings along the southwesterly; and southerly ~~and easterly~~ boundaries shall provide landscape screening for the existing residential developments to the southwest and south.

page 66 Revise the Conclusion as follows:

The design of site entry points and onsite circulation to minimize offsite traffic congestion, the provision of a ~~55~~53-foot setback from the southerly property line, and the incorporation of tree screenings along the site's southwesterly; and southerly ~~and/or easterly~~ boundaries would reduce the project's impact on land use and planning to a **less-than-significant impact with mitigation**.

III. K. NOISE

page 69 Revise the second paragraph as follows:

The City has not specified noise criteria for outdoor use spaces; however, the Noise and Land Use Compatibility Guidelines in the General Plan seem to suggest that outdoor residential uses be limited to areas where the DNL does not exceed 70 dB. Buildings II, V and VI include outdoor space on a podium at the fourth or fifth level. These areas would be protected from traffic noise by the surrounding structure and would have DNL levels well below 70 dB. ~~The proposed building in the northeast corner of the site includes a fifth floor outdoor use space adjacent to Lawrence Expressway. While estimated future noise levels exceed 70 dB DNL, incorporating a solid noise barrier that blocks the line of sight between people in the open space and vehicles on Lawrence Expressway would reduce noise levels to below 70 dB DNL.~~ To the extent that exterior balconies are planned along El Camino Real or Lawrence Expressway, inseting them into the building shell and/or incorporating rail-height shielding from roadway traffic noise should be considered.

page 72 Revise the second Mitigation Measure as follows:

- Exterior balconies along El Camino Real or along Lawrence Expressway shall be inset into the building shell and/or incorporate rail-height shielding from roadway traffic noise.

page 72 Delete the third Mitigation Measure as follows:

- ~~• A solid noise barrier shall block the line of sight between vehicles on Lawrence Expressway and people in the fifth floor outdoor open space on the building in the northeast corner of the site.~~

page 73 Add the following as the last Mitigation Measure:

- If pile driving is necessary, pile driving construction hours shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday, with half-hour breaks every three hours, and no pile driving on the weekends.

III. L. PUBLIC SERVICES

page 74 Revise the first paragraph as follows:

Schools

The project site is in the Santa Clara Unified School District (K-12). Students from the project are expected to attend:

School	Address	Capacity
Laurelwood Elementary	955 Teal Drive, Santa Clara	close to
Peterson Middle	1380 Rosalia Avenue, Sunnyvale	close to <u>has room</u>
Wilcox High	3250 Monroe Street, Santa Clara	impacted <u>close to</u>

~~All of the schools~~ Laurelwood Elementary School and Wilcox High School are close to ~~or at~~ capacity. Busing is not provided.

page 75 Revise the third and fourth paragraphs as follows:

Schools

Residential

The residential portion of the project would add additional students to the Santa Clara Unified School District, as follows:

School	Capacity	Generation Factor	No. of Students
Laurelwood Elementary	close to	na	na
Peterson Middle	close to <u>has room</u>	na	na
Wilcox High	impacted <u>close to</u>	na	na
		0.510.11/du (K-12)	250 <u>54</u>

Based on the district generation factor listed above, which was determined through a 2004 study, the project could generate a total of up to ~~250~~ 54 students. All three schools have adequate capacity for the anticipated number of students from this development. This is not considered to have a significant physical effect on the environment.

page 75 Revise the fifth paragraph as follows:

The State School Facilities Act provides for school district impact fees for elementary and high schools and related facilities as a condition of approval of residential projects. The one-time fee, which is based on the square footage of new habitable residential construction, would be paid prior to the issuance of a building permit in accordance with California Government Code Section 65996. Under State law, the payment of school impact fees is considered to provide school facilities mitigation under CEQA.

page 76 Revise the first paragraph as follows:

The State School Facilities Act provides for school district impact fees for elementary and high schools and related facilities as a condition of approval of non-residential projects, when a link is found between the new non-residential development and the need for schools. The one-time fee, which is based on the square footage of newly constructed non-residential (commercial and industrial) use, would be paid prior to the issuance of a building permit in accordance with California Government Code Section 65996. Under State law, the payment of school impact fees is considered to provide school facilities mitigation under CEQA.

page 76 Revise the third paragraph as follows:

Parks and Recreation

Residential

Project residents would increase the demand for public park facilities; however, there are currently two developed City of Santa Clara parks within the project vicinity, although they are across major roadways. Residents from the project could elect to go to Raynor Park in Sunnyvale, which is a similar distance away but does not require crossing Lawrence Expressway. The use of parks in adjoining cities is common when the location of the park is more convenient or desirable.

Private open space and recreation facilities planned with the project include approximately 13,600 square feet on the podium of Building II, 17,600 square feet on the podium of Building V, and 19,300 square feet on the podium of Building VI; amenities each will include a children's playground, small picnic area with grass and small shade trees, paved areas, furniture and different seating areas. In addition, the courtyard of Building V is to have grass areas and "picnic"-style seating areas. The courtyard of Building II is to have children's play equipment. Fitness rooms are also to be included with the project.

page 76 Revise the sixth paragraph as follows:

Police Protection

The Santa Clara Police Department provides police protection for the city. No additional police personnel or equipment are expected to be necessary to serve the project, however, an approximately 1,000 square foot police substation will be incorporated into the office portion of the project northwesterly corner of Building VI.

III. M. TRANSPORTATION / TRAFFIC

page 81 Revise the second paragraph as follows:

Public Transit

Public transit is provided in the project area by the Santa Clara Valley Transportation Authority. Routes 22 (Eastridge to Palo Alto/Menlo Park), ~~300 (Limited Route - San Jose to Palo Alto)~~ and 522 (Rapid Route - Eastridge Transit Center to Palo Alto Transit Center) travel along El Camino Real; and Route 328 (Limited Route - Almaden/Camden to Lockheed) travels along Lawrence Expressway, with stops near El Camino Real. Rapid Route 522 stops at Lawrence Expressway. The project site is not located within the vicinity of a light rail station. In addition, the Lawrence Caltrain Station at 137 San Zeno Way, Sunnyvale, is located approximately 1.25 miles to the north.

page 82 Revise the second note beneath Table 7. Project Traffic Generation as follows:

** Includes ~~105,000-111,495~~ sf existing retail (Kohl's) to remain.

page 82 Add the following note beneath Table 7. Project Traffic Generation as follows:

NOTE: The above table and following analysis overstate the added project trips by approximately 10 percent. When the traffic analysis was prepared, the size of the existing retail did not include the 6,000 sf mezzanine in the Kohl's store. With this increase, the existing retail square footage is 147,711 sf, and the existing daily trips increase from 8,518 to 8,877. The number of net added project trips then decreases approximately 10 percent from 3,850 (12,368 - 8,518) to 3,490 (12,368 - 8,877). Thus, the project impacts would be slightly less than those described in this section.

page 87 Revise the third paragraph as follows:

Site Access

The existing driveways serving the site may need to be reconstructed, but the project is not proposing any additional access points. The site will continue to be served by one right-in/right-out-only driveway along El Camino Real and ~~three-two~~ full access driveways and one gated driveway along Halford Avenue.

pages 87-88 Revise the last paragraph as follows:

Halford Avenue

~~Three-Two~~ unrestricted driveways will serve the project site along Halford Avenue. It is likely that the driveways along Halford Avenue will serve the majority of the residential project traffic.

Signal warrant checks were conducted for each of the driveways along Halford Avenue. The results indicated that none of the driveways would meet signal warrants with the addition of project traffic. The warrants are not met because traffic volumes along Halford Avenue are relatively low.

III. N. UTILITIES AND SERVICE SYSTEMS

Sanitary Sewers

See the revised Sanitary Sewer section that follows on pages A-279 through A-284.

page 91 Revise the first full paragraph as follows:

Solid Waste / Recycling

Office / Commercial

~~There are several solid waste disposal service companies available for office / commercial purposes in Santa Clara. Mission Trail Waste Systems is the exclusive franchise hauler for commercial solid waste and recycling, and is the only hauler that can charge for services in this area. They are using the Newby Island sanitary landfill disposal site, and/or the Kirby Canyon disposal site. Newby Island which has an estimated service life of 30 years. Kirby Canyon has an estimated service life of up to 50 years.~~

page 94 Revise the fourth paragraph as follows:

Water Supply

Water for the project site is provided by the City of Santa Clara. The 8-inch water lines in Halford Avenue, El Camino Real, and through the project site are available and adequate to serve the project. Extensions within the project would be provided. The project would require approximately 157 acre-feet of water per year, based on the following residential and office / commercial daily use breakdown. According to the City Water and Sewer Utilities Department, based on their latest 2005 Urban Water Management Plan, there is adequate water supply to serve the project.

page 95 Revise the second full paragraph as follows:

Solid Waste / Recycling

Office / Commercial

~~There are several solid waste disposal service companies available for office / commercial purposes in Santa Clara. Commercial solid waste disposal service for the project site is provided by Mission Trail Waste Systems. The office portion of the project is estimated to generate up to approximately 6 tons of solid waste per year, based on 20 pounds per 1,000 square feet per week. The commercial portion of the project is estimated to generate up to approximately 89 tons of solid waste per year, based on 20 pounds per 1,000 square feet per week. These amounts could be reduced with recycling.~~

Construction/Demolition Debris

Projects over the size of 5,000 square feet are subject to the requirements of the City's mandatory Construction & Demolition Debris Recycling Ordinance. Permit applicants are required to submit an Initial Checklist and Recycling Report demonstrating that over 50 percent of the debris generated from the project has been recycled.

page 95 Revise the fourth full paragraph as follows:

Electric Service

There is existing City of Santa Clara / Silicon Valley Power electric service in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service; however the existing underground distribution system will become inadequate to serve the additional load created by the project.

The project will require upgrading of the underground electric distribution system onsite, as well as offsite work to install electric facilities and substructures across El Camino Real to tie and integrate the underground distribution system. Crossing El Camino Real can be accomplished by jack and bore to reduce impacts on traffic. The upgrading of the system and crossing of El Camino Real will provide the capacity to serve the added load. Crossing the major street that divides the underground system and interconnecting the distribution feeders with bridge main cables will also improve the service reliability of the surrounding neighborhood.

page 96 Add the following as the last mitigation measure:

Electric Service

- The onsite and offsite underground electric distribution systems shall be upgraded to include facilities and substructures across El Camino Real.

page 96a Add the following section:

III. O. GLOBAL CLIMATE CHANGE

(See following pages A-285 through A-288 for text)

IV. CUMULATIVE IMPACTS

page 97 Add a second paragraph as follows:

In 2007, the City of Santa Clara conducted a feasibility study regarding construction of a new professional football stadium near the intersection of Great America Parkway and Tasman Boulevard. The study, which was an examination of potential financing models, construction issues, redevelopment matters, and other issues germane to such a project, determined that the stadium project is feasible but that there remain many outstanding issues requiring resolution. The next step of preliminary negotiations, which are non-binding, is to further examine issues and clarify and document understandings and guarantees of all parties involved. These negotiations will be contained in a Term Sheet agreement. An EIR is also being prepared. Any particular project construction, financing and location parameters are purely speculative at this point and there are no impacts that are reasonably foreseeable as a result of the Term Sheet agreement stage. Therefore, the potential stadium is not included in this EIR's consideration and evaluation of potential cumulative impacts.

page 107 Add the following to the end of the list:

Roger Barnes, Business Administrator, Santa Clara Unified School District

Lori Paolinetti, Principal, Laurelwood Elementary School

Larry Wolfe, Director, Parks and Recreation Department, City of Santa Clara

Sayed Fakhry, Acting Traffic Engineer, Engineering Department, City of Santa Clara

Dave Staub, Solid Waste Superintendent, Street Department, City of Santa Clara

Mike Keller, Division Manager, Electric Department, City of Santa Clara

Chris de Groot, Compliance Manager, Water and Sewer Utilities Department, City of Santa Clara

Officer Serna, Santa Clara Police Department

Chris Miner, Manager, Lucky Supermarket

Roger W. Shanks, Roger Shanks Consulting

XIII. SOURCES AND REFERENCES

page 110 Add the following to the end of the list before the Consultants' Reports:

Letter to Kevin Ma Re: Sanitary Sewer Improvements Needed for the BRE Development at El Camino Real and Lawrence Expressway. Rajeev Batra, Director of Public Works, City of Santa Clara, July 10, 2007

Sanitary Sewer Outlet Charge for New Developments Report, City of Santa Clara, May, 2007

TECHNICAL APPENDIX

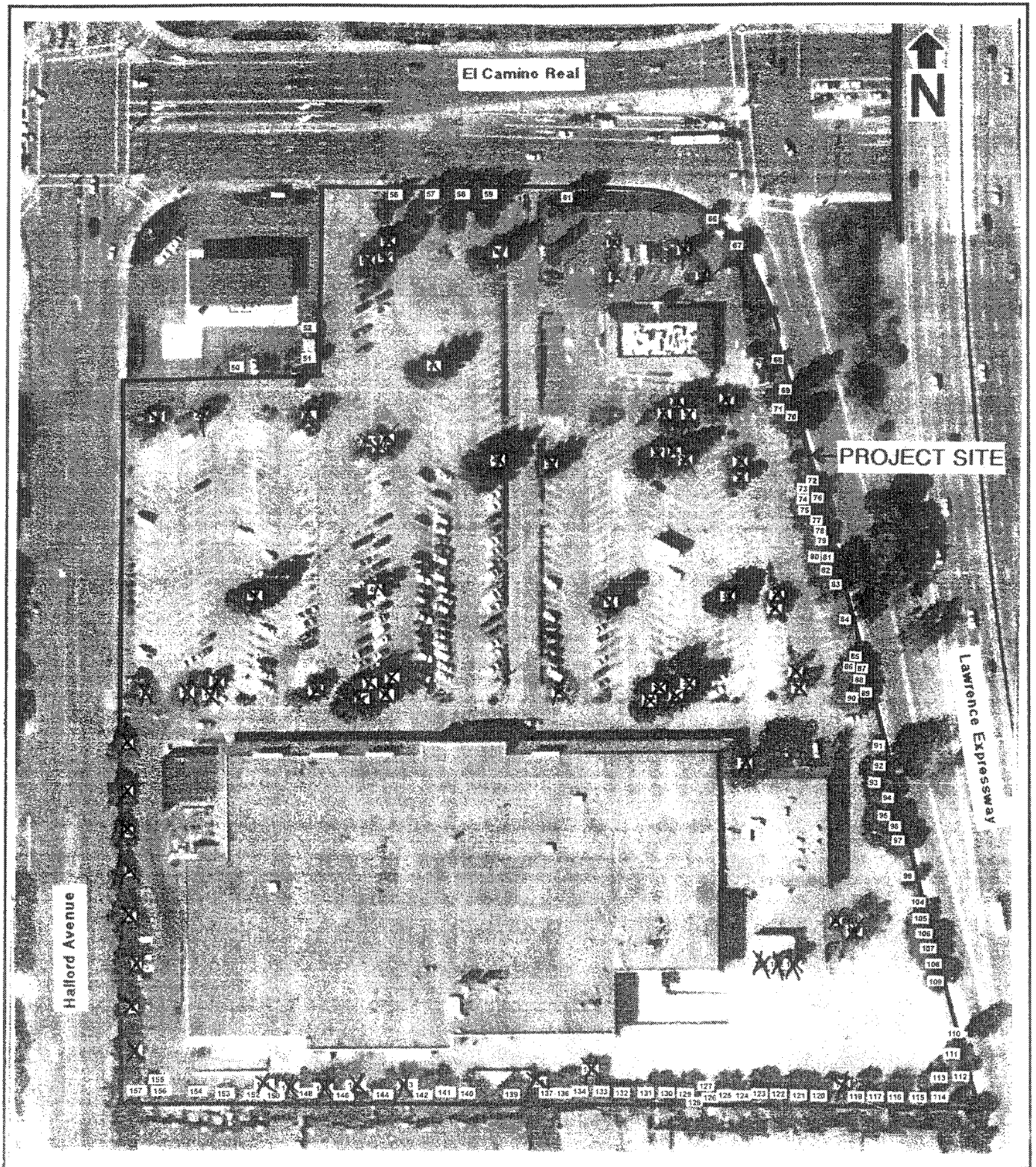
Add the following to the Technical Appendix List of included subconsultants' reports in the report document and in Appendix B – Technical Appendix (a separate document); and include the document in Appendix B:

Geotechnical Investigation Review Letter, Proposed New Development, Santa Clara Square, Halford Avenue, Santa Clara, California, Terrasearch, Inc., May 2, 2007

Revise the Existing Trees table and Trees to be Removed figure in Appendix B as follows:

Existing Trees

No.	Scientific Name	Common Name	Diameter * (inches)	General Condition	To Be Removed
1.	<i>Phoenix canariensis</i>	Canary Island Pine	20	Fair	<u>X</u>
2.	<i>Phoenix canariensis</i>	Canary Island Pine	17	Good	<u>X</u>
3.	<i>Phoenix canariensis</i>	Canary Island Pine	17	Good	<u>X</u>
4.	<i>Phoenix canariensis</i>	Canary Island Pine	22	Good	<u>X</u>
5.	<i>Phoenix canariensis</i>	Canary Island Pine	21	Good	<u>X</u>
6.	<i>Phoenix canariensis</i>	Canary Island Pine	16	Good	<u>X</u>
7.	<i>Phoenix canariensis</i>	Canary Island Pine	20	Good	<u>X</u>
8.	<i>Phoenix canariensis</i>	Canary Island Pine	19	Good	<u>X</u>
9.	<i>Liquidambar styraciflua</i>	Sweetgum	15	Fair	X
10.	<i>Liquidambar styraciflua</i>	Sweetgum	10	Fair	X



X – Trees to be Removed

Tree Nos. 1 – 8 added to removal list.

Trees to be Removed

Sanitary Sewers

page 90 Revise the Setting paragraph as follows:

Sanitary Sewers

There is an existing 10-inch City of Santa Clara sanitary sewer line on the west side of the project site in Halford Avenue feeding into one of two existing 10-inch City sanitary sewers in El Camino Real. Both of the lines in El Camino Real are currently flowing at or near capacity and are not available to serve the project without improvements. In addition, ~~a recent study by the City indicates~~ recent studies indicate that there is not capacity sufficient for the project available downstream in larger trunklines in Calabazas Boulevard or Bowers Avenue. The Calabazas Boulevard trunk limitation is due in part to a contractual reserve committed to the interconnected Cupertino Sanitary District system upstream of the project. The existing conveyance deficiencies have been identified within the context of the currently adopted General Plan potential development scenario that includes the proposed project.

pages 92-93 Revise the Impact and Mitigation section as follows:

Sanitary Sewers

Project

Sanitary sewer service for the project site is provided by the City of Santa Clara. The project is estimated to generate an average of approximately 0.10 million gallons per day (mgd) based on unit flow factors for building usages from the San Jose Water Pollution Control Plant. The 10-inch sanitary sewer line in Halford Avenue is available to serve the project; however, the two 10-inch sanitary sewer lines in El Camino Real downstream of the project are currently at or near capacity and are not available to serve the project. In addition, there is no capacity available downstream for the project in larger trunklines in Calabazas Boulevard or Bowers Avenue. The proposed increase of housing units and commercial area on the project site will require that additional capacity not currently available in the system be provided to serve the proposed project.

Recent Studies

Several recent studies have been conducted to analyze the City's sanitary sewer system, both in the westside project area and City-wide. They include the El Camino Sewer Evaluation Study October, 2006; the interim Westside Sanitary Sewer Study; and the City of Santa Clara Sanitary Sewer Capacity Assessment, May, 2007. The El Camino Sewer Evaluation Study was completed prior to the preparation of the Draft EIR and was the basis of the Sanitary Sewer assessment and mitigation. The other two studies that were described in the Draft EIR have now been completed. The Sanitary Sewer Capacity Assessment is the basis for the Final EIR Sanitary Sewer section. Copies of all of the sanitary sewer studies are available at the City Planning Department.

In addition, the City recently updated and revised Section 6.6.6 Sanitary Sewer of the General Plan; a copy of the General Plan text amendment is included in the report Appendix.

El Camino Real Sewer Evaluation Study

~~An El Camino Sewer Evaluation Study was recently completed. In addition to this Santa Clara Square project, there are two other proposed projects in the service area; one is a 278277-unit project on Granada Avenue and the other is a 6063-unit project on Lawrence Expressway. The Study, funded by agreement among these identified developments, analyzed these projects that are served by the two existing 10-inch lines in El Camino Real and monitored the flows for several weeks. Several segments of the El Camino Real lines were determined to be near or over capacity under existing land use conditions and when pending projects are added. The study also summarizes additional monitoring data for the trunk sewers provided by the City of Santa Clara. The study indicates also indicated that there is currently no additional capacity in the Bowers Avenue line and less than 4 mgd in the Calabazas Boulevard line, so additional capacity must be added to the system to meet the agreement requirement.~~

The Study looked at solutions to the capacity problem, and developed two alternatives:

- Alternative 1 – Increased capacity on El Camino Real from Flora Vista Avenue to Calabazas Creek and diversion to the Calabazas trunk sewer
- Alternative 2 – Increased capacity on El Camino Real from Flora Vista Avenue to Bowers Avenue and on the Bowers Avenue trunk sewer

Alternative 2 was the mitigation for the local sanitary sewer deficiency in the Draft EIR.

~~The City of Santa Clara has an agreement to provide the Cupertino Sanitary District with 13.8 mgd of peak capacity. The City has indicated that it does not wish to reduce any reserve capacity to accommodate pending developments within Santa Clara; therefore, Alternative 1 is not feasible.~~

~~Alternative 2 includes the construction of 1,800 feet of replacement 12-inch line from Flora Vista Avenue to Pomeroy Avenue and 2,650 feet of replacement 15-inch line on the south side of El Camino Real from Pomeroy Avenue to Bowers Avenue with a siphon under Calabazas Creek. The following improvements are also required on Bowers Avenue:~~

~~Section 1: 723 feet of 12-inch parallel line from Chromite Drive to Union Pacific Railroad (UPRR)~~

~~Section 2: 300 feet of replacement 30-inch line crossing UPRR~~

~~Section 3: 1,180 feet of parallel 12-inch line from UPRR to Walsh Avenue~~

~~These improvements would alleviate the restriction in the two 10-inch lines in El Camino Real and provide capacity for the pending projects. They would be funded on a development fair share payment by the project and each of the other two pending developments in the west side area. These improvements are intended to serve these identified projects, but additional capacity would be necessary to provide additional design capacity for other projects in the future.~~

Westside Sewer Study

An interim priority study of the westerly section of the city that includes the project site and the trunk lines in Calabazas Boulevard and Bowers Avenue was also initiated because of pending projects' immediate needs and has been essentially completed while the City-wide study was underway to better understand the capacity problems there. The study includes build-out of the adopted General Plan with approximately 3,000 to 3,500 additional residential units beyond the three pending projects. The results are expected to be similar to the El Camino Real Sewer Evaluation Study but will likely require an increase in the sizes of the trunk improvements to provide capacity for the additional units as well as additional capacity improvements required to meet the agreement requirements with the Cupertino Sanitary District and were incorporated into the City-wide study.

City-Wide Sewer StudyCity of Santa Clara Sanitary Sewer Capacity Assessment

The City of Santa Clara has engaged a consultant to conduct a city-wide study of the sanitary sewer trunk system. The study will define long term sewer needs and costs based on the currently adopted General Plan development scenario. Results of the city-wide study will be available in early 2007. The Capacity Assessment was prepared to complete a comprehensive evaluation of the capacity needs of the City's Trunk Sewer System to help identify future capital needs for capacity improvements and requirements for financing those improvements as well as to meet Regional and State regulatory requirements. The overall objectives of the Capacity Assessment study were to develop wastewater flow projections for the City's collection area using up-to-date water use and land use information; develop a hydraulic model of the trunk sewer system; use the model to identify capacity deficiencies in the existing system and future capacity requirements; and develop a phased Capital Improvement Program, including budget estimates, for implementing the required capacity improvements to the sanitary sewer system.

A systematic process that incorporated land use planning information, water use and flow monitoring data, and design criteria for estimating wastewater flows into a computer hydraulic model of the trunk sewer system was used. The model assessed how the system would perform under various planning scenarios and identified pipes that may not have sufficient capacity to convey the predicted flows under future conditions. Improvement projects were developed to provide the required capacity, the capital costs of the required projects were estimated, and the projects were prioritized based on the model results and anticipated timing of development.

The Capacity Assessment considered two scenarios: 1) the Existing Scenario based on existing development and flow monitoring data collected in early 2006, and 2) the Future Scenario based on all currently planned major development and increased densities consistent with the General Plan. The Future Scenario was used to examine the impacts on the system of new development and to determine the required sewer system capacity needed to serve that development. Model results were examined to determine specific trunk system capacity needs, as indicated by areas where the flow in the pipes would exceed the pipes' capacity.

To address the capacity deficiencies, potential flow routing and capacity improvement alternatives were developed and tested, proposed improvements were verified using the hydraulic model, and capacity improvement projects were developed. A total of nine improvement projects are recommended by the study. The plan incorporates the construction of a new siphon crossing Calabazas Creek at El Camino Real that was constructed in 2007 by the Santa Clara Valley Water District (SCVWD) as part of their Calabazas Creek Capacity Improvement Project, as well as a diversion connection to the 24-inch Calabazas trunk sewer at that location that was also constructed in 2007.

Project No. 8, which is the improvement of the 10-inch line in El Camino Real from Flora Vista Avenue to Calabazas Creek, and the work done by the SCVWD will provide capacity for the project and the two pending projects in the area. These improvements include the following:

- Replacement of the 10-inch line with a 12-inch line on the south side of El Camino Real from Flora Vista to Pomeroy.
- Replacement of the 10-inch line with a 15-inch line on the south side of El Camino Real from Pomeroy to Calabazas Creek.

Because it is anticipated that the 277-unit Taylor-Morrison/BRE project on Granada Avenue will be constructed first, they have agreed to complete the above improvements. If the improvements are not designed and constructed by Taylor-Morrison/BRE, then the developer of Santa Clara Square would be responsible for their design and construction prior to the occupancy of any phase of the project that contained residential dwelling units.

As currently proposed, Phase I is envisioned to be the development of Building I, which is an all commercial and office building. As currently proposed, Phases II through IV would all include residential dwelling units. If the phasing of development were to be amended in the future, however, the necessity of designing and constructing the sanitary sewer improvements would still be tied to the first phase of construction that contained residential dwelling units.

The City also reserves the option of requiring that any, or all, new elements of the sanitary sewer system be oversized beyond the minimum required to serve the project. The monies collected from other projects using the sewer improvements and from future increases to the Sanitary Sewer Outlet Charge will be used to reimburse the project for its cost to install the sewer improvements beyond its fair share. Reimbursement will occur as funds are received by the City.

In addition, there may be other local sanitary sewer system deficiencies beyond those identified in the recent studies. The project will be required to upgrade the sanitary sewer system in the vicinity. These upgrades could include, but are not limited to, laterals, manholes, and necessary extensions to the main lines in the street. All of this work will be completed to the satisfaction of the Director of Public Works at no cost to the City.

New Sanitary Sewer Conveyance Fee

In order to fund all of the sanitary sewer Capital Improvement Program projects, the City has adopted a New Sanitary Sewer Conveyance Fee for all new development. The project developer will be required to pay this fee, which is in addition to the existing sanitary sewer outlet and connection fees.

Project Development – Phase I

~~The project is not planned to begin until Spring, 2007.~~ Phase I of the project is the demolition of the existing 30,000 square foot retail buildings on the east side of Kohl's and the construction of a new 25,067-square-foot retail and office building along the west side of Kohl's on Halford Avenue. This change would have a very slight 0.0004 mgd increase in the sanitary sewer use compared to the current condition. Phase I may, therefore, be able to proceed without a significant impact on the lines in El Camino Real or the trunklines in Calabazas Boulevard or Bowers Avenue.

pages 95-96 Revise the Mitigation Measures as follows:

Sanitary Sewers

- ~~The project shall pay a fair share for the construction of new facilities to serve the project. These improvements may include, but are not limited to, replacement/installation of a 12/15-inch sanitary sewer line in El Camino Real from Flora Vista Avenue to Bowers Avenue, a siphon under Calabazas Creek, and improvements to the existing sewer line in Bowers Avenue from Chromite Drive to Walsh Avenue to the satisfaction of the Director of Public Works.~~ The project developer or Taylor-Morrison/BRE shall design and construct the following Westside Sewer Improvements to the satisfaction of the Director of Public Works in advance of occupancy for any residential units:
 - Replacement of the existing 10-inch VCP with a 12-inch VCP on the south side of El Camino Real From Flora Vista Avenue to Pomeroy Avenue.
 - Replacement of the existing 10-inch VCP with a 15-inch VCP on the south side of El Camino Real From Pomeroy Avenue to Calabazas Creek.
- The project developer shall install any required upgrades to the sanitary sewer system in the vicinity of the project including, but not limited to, laterals, manholes, and necessary extensions to the main lines to the satisfaction of the Director of Public Works.

- ~~• The new sanitary sewer line and siphon in El Camino Real and the improvements to the Bowers Avenue trunkline shall be required to be constructed concurrently with the project and must be operational, to the satisfaction of the Director of Public Works, prior to the issuance of occupancy permits for any phases of the project that may exceed available capacity.~~

page 96 Revise the Conclusion as follows:

~~A fair share payment for the construction of new facilities to serve the project, including, but not limited to, replacement/installation of a 12/15-inch sanitary sewer line in El Camino Real from Flora Vista Avenue to Bowers Avenue, a siphon under Calabazas Creek, and improvements to the existing sewer line in Bowers Avenue from Chromite Drive to Walsh Avenue~~Design and construction of the El Camino Real sanitary sewer improvements from Flora Vista Avenue to Calabazas Creek, and upgrades of the sanitary sewer system in the vicinity; and no issuance of occupancy permits for any phases of the project that contain residential dwelling units until the new sanitary sewer line and siphon in El Camino Real and the improvements to the Bowers Avenue trunkline are~~is~~ operational to the satisfaction of the Director of Public Works would reduce the project's impact on the City sanitary sewer conveyance system to a **less-than-significant impact with mitigation.**

III. O. GLOBAL CLIMATE CHANGE

Introduction

Global climate change is the alteration of the Earth's weather including its temperature, precipitation, and wind patterns. Global temperatures are affected by naturally occurring and anthropogenic-generated atmospheric gases, such as carbon dioxide, methane, and nitrous oxide¹. These gases allow sunlight into the Earth's atmosphere, but prevent radiative heat from escaping into outer space. This phenomenon is known as the greenhouse effect.

Human Influence on Climate

The world's leading climate scientists have reached consensus that global climate change is underway and is very likely caused by human beings.² A recent report by the Intergovernmental Panel on Climate Change (IPCC), an international group of scientists and representatives of 113 governments, concludes "the widespread warming of the atmosphere and ocean, together with ice-mass loss, support the conclusion that it is extremely unlikely that global climate change of the past 50 years can be explained without external forcing, and very likely that it is not due to known natural causes alone."³

The IPCC predicts temperature increase of between two and 11.5 degrees F by the year 2100, with temperatures most likely increasing by between 3.2 and 7.1 degrees F. Sea levels are predicted to rise by seven to 23 inches by the end of the century, with an additional 3.9 to 7.8 inches possible depending upon the rate of polar ice sheets melting from increased warming. The IPCC report states that the increase in hurricane and tropical cyclone strength since 1970 can likely be attributed to human-generated greenhouse gases.

According to the 2006 California Climate Action Team Report, the following climate change effects are expected in California over the course of the next century (per the IPCC):

- A diminishing Sierra snowpack declining by 70 to 90 percent, threatening the state's water supply;
- Increasing temperatures from 8 to 10.4 degrees F under the higher emission scenarios, leading to a 25 to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;

¹ IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: <http://www.ipcc.ch/>.

² IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: <http://www.ipcc.ch/>.

³ IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: <http://www.ipcc.ch/>.

- Coastal erosion along the length of California and sea water intrusion into the Sacramento River Delta from a four- to 33-inch rise in sea level. This would exacerbate flooding in already vulnerable regions;
- Increased vulnerability of forests due to pest infestation and increased temperatures;
- Increased challenges for the state's important agriculture industry from water shortages, increasing temperatures, and saltwater intrusion into the Delta; and
- Increased electricity demand, particularly in the hot summer months.⁴

Regulatory Context for Global Climate Change

Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. There are strategies in place to reduce greenhouse gas emissions, including the international Kyoto Protocol, the U.S. "Twenty in Ten" plan (which is to reduce U.S. gasoline consumption by 20 percent over the next 10 years), U.S. 2007 Farm Bill (which provides funding for energy innovations and research), USEPA SmartWay Transport Partnership (which aims to reduce greenhouse gas emissions, fuel consumption, and pollutants from freight transportation operations), and the EnergyStar Program. Participation in these strategies is voluntary. There is no comprehensive strategy that is implemented on a global scale that addresses climate change. In addition, there are no established standards for gauging the significance of greenhouse gas emissions. Neither CEQA nor the CEQA Guidelines provide any methodology for analysis of greenhouse gases.

In the fall of 2006, Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act, into law. AB 32 requires the California Air Resource Board (CARB) to adopt regulations and mechanisms that will reduce the state's greenhouse gas emissions to 1990 levels by the year 2020, which is a 25 percent reduction. Based on 2004 greenhouse gas emissions, the state would need to reduce the amount of greenhouse gas emissions by approximately 67.2 million metric tons of carbon dioxide equivalents (MMTCO₂E) to reach 1990 levels. By 2050, the state plans to reduce emissions by 80 percent below 1990 levels. Based on 2004 greenhouse gas emission levels, the state would need to reduce the amount of greenhouse gas emissions by approximately 390.3 MMTCO₂E to meet 80 percent below 1990 levels. The bill also requires CARB to adopt mandatory reporting rules for sources of substantial greenhouse gases by January 1, 2009, adopt a plan by January 1, 2009 that outlines how emission reductions will be achieved, and adopt regulations by January 1, 2011 to obtain the maximum technology feasible and cost-effective reductions in greenhouse gases.⁵

There is currently no statutory or case law, however, that provides guidance on the methodology and criteria for what constitutes a project impact, individually or cumulatively, to global warming. On August 24, 2007 Governor Schwarzenegger signed SB 97 which requires the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, including, but not limited to, effects associated with transportation or energy

⁴ State of California, California Climate Action Team. Climate Action Team Reports. 20 April 2007. Available at: http://www.climatechange.ca.gov/climate_action_team/reports/index.html. Accessed 7 June 2007.

⁵ Office of the Governor of the State of California. Press Release: Gov. Schwarzenegger Signs Landmark Legislation to Reduce Greenhouse Gas Emissions. 27 September 2006. Available at: <http://gov.ca.gov/>.

consumption. The Resources Agency is required to certify and adopt these guidelines by January 1, 2010.

Project's Contribution to Global Climate Change

Under CEQA, the essential questions are whether a project creates or contributes to an environmental impact or is subject to impacts from the environment in which it would occur, and what mitigation measures are available to avoid or reduce impacts.

Greenhouse Gas Emissions

In California, the total carbon dioxide emissions from fossil fuel combustion in 2002 were 360 million tons, which is approximately seven percent of the United States' carbon dioxide emissions. Fossil fuel combustions accounts for most (98 percent) of California's total carbon dioxide emissions. Methane accounted for approximately six percent of climate change emissions and nitrous oxide emissions accounted for about seven percent of climate change emissions. Methane has a global warming potential 23 times that of carbon dioxide and nitrogen oxide is 296 times that of the same amount of carbon dioxide.⁶ Other contributing gases to global climate change include hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, aerosols, and water vapor.⁷ The primary sources of greenhouse gas emissions for the proposed project are anticipated to be combustion of fossil fuels from motor vehicles.

Vehicle Emissions

The proposed project is estimated to result in approximately 3,850 net average daily trips. Assuming the average vehicle trip length is approximately three miles, future users of the site are estimated to travel approximately 11,550 miles per day.

The carbon dioxide emission rate for a year 2030 vehicle mix is about 515 grams or 1.13 pounds per mile.⁸ Based on the estimated miles traveled for the project and the carbon dioxide emission rate assumption, the daily project total carbon dioxide vehicle emissions would be approximately 0.006 metric tons per day (or 2.2 metric tons per year). As discussed in Section III. C. Air Quality, development of the project in the far-term would emit approximately 71.7 pounds of nitrogen oxide a day (or 0.0325 metric tons per day, which equates to 12 metric tons per year).

There is no regulatory standard or guideline by a federal, state, or regulatory agency to be able to measure carbon dioxide, or nitrogen oxide emissions to definitively determine whether the project emissions would directly or cumulatively result in a significant global climate change impact. Based on the small percentage increase in greenhouse gas emissions the proposed project would generate these contributions are not anticipated to be cumulatively significant. Additionally, the project proposes a high density, mixed-use development. The provision of high density, transit-oriented mixed-use development at an infill location is consistent with smart growth principles and would not be wasteful in its generation of greenhouse gases.

⁶ 14 United States Energy Information Administration. Comparison of Global Warming Potentials from the Second and Third Assessment Reports of the Intergovernmental Panel on Climate Change (IPCC). 12 August 2002. Available at: <http://www.eia.doe.gov/oiaf/1605/gwp.html>.

⁷ California Environmental Protection Agency, Climate Action Team. Climate Action Team Report to Governor Schwarzenegger and the Legislature. March 2006. Pages 11-15.

⁸ This reference is to the City of San José. Coyote Valley Specific Plan Draft Environmental Impact Report. March 2007. , since the Santa Clara General Plan does not address this issue.

Other Emissions Sources

Additional unknown quantities of greenhouse gases would be emitted as part of the proposed project from the manufacture and transport of building materials, operation of construction equipment, and other project related activities. There currently are no readily available methods of quantifying additional greenhouse gases from the manufacturing and transportation of building materials, the operation of construction equipment, or other activities and sources (other than electricity and automobile use). For this reason it can be assumed that the project's total greenhouse gas emissions are more than identified above.

As described in Section III. D. Biological Resources, up to a total of 70 trees could be removed by the project. In general, a healthy tree stores approximately 13 pounds of carbon dioxide a year.⁹ As the trees on the site are removed there would be an interim loss of approximately 800 pounds of carbon dioxide sequestration a year, and loss of cooling from tree canopies. These effects would be mitigated over time as replacement trees on the site and in other areas of the City mature and provide the carbon dioxide sequestering and provide shading benefits and measures for removal of carbon dioxide.

Impacts to the Proposed Project from Global Climate Change

Given the global climate change trends described in this section, CEQA requires that reasonably foreseeable impacts from global climate change be predicted at a meaningful scale. Given the climate change predictions for California, it is reasonably foreseeable that local temperatures could increase by as much as seven to 11.5 degrees over the course of this century with or without the proposed project. This increase in temperature could lead to other climate effects including, but not limited to, increased flooding due to increased precipitation and runoff and a decrease in the Sierra snowpack (a major water source). As described in Section III. I. Hydrology and Water Quality, the site is located within the 100-year flood hazard zone; future flooding conditions on the project site from global warming cannot be predicted at this time. The Santa Clara Valley Water District is the public agency entrusted with providing adequate water supply and flood control within Silicon Valley and is currently considering how to address both these issues associated with climate change.

Conclusion

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernable effect on global climate change (e.g., that any increase in global temperature or rise in sea level could be attributed to the emissions resulting from one single development project). Rather, it is more appropriate to conclude that the greenhouse gas emissions generated by the proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change.

Declaring an impact significant or not implies some knowledge of incremental effects that is several years away, at best. The project's nominal percentage increase in greenhouse gas emissions would not impede the state's ability to reach the emission standards set forth in AB 32. The infill, transit-oriented, high density, mixed-use development proposed by the project is the type of new development that is anticipated to result in a land use pattern that supports the state's effort to reach AB 32 emissions standards. For this reason, this project would not make a cumulatively considerable contribution to global climate change.

⁹ United States Department of Agriculture Forest Service, Southern Region. Benefits of Urban Trees. Urban and Community Forestry: Improving Our Quality of Life. Forestry Report R8-FR 17. April 1990. Reprinted April 1997. Available at: http://www.fs.fed.us/na/Morgantown/uf/benefits_urban_trees/index.htm#.

APPENDIX



Environmental • Geotechnical • Special Inspections • Materials Testing

TERRASEARCH *INC.*

SERVING NORTHERN CALIFORNIA SINCE 1969

Project No. 9993.G

2 May 2007

Ms. Emily Chen
21009 Stevens Springs Parkway
Cupertino, Ca 95014

Subject: Proposed New Development
Santa Clara Square
Halford Avenue
Santa Clara, California

Reference: Geotechnical Investigation
Prepared by *Terrasearch, Inc.*,
Dated 6 October 2003

Dear Ms. Chen:

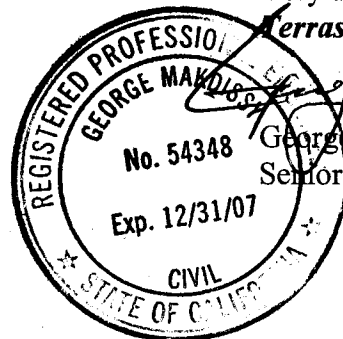
At your request, we reviewed the above referenced report for the purpose of evaluating the site conditions from a geotechnical point of view for the construction of the proposed new structures.

It is our understanding that the new development plan will incorporate an eight (8) story structure. A review of the exploration borings drilled for the previous investigation indicates that the site is underlain at depth by stiff silty clays and dense clayey silts to the explored depth of 50 feet.

It is therefore our opinion that the referenced report is still applicable for the proposed development. It is also noted that an update with supplemental recommendation will be provided at the design phase of the project for the proposed new construction

Should you have any questions, or should require additional information, please contact the office at your convenience.

Very truly yours,
Terrasearch, Inc.



George Makdissy, P.E.
Senior Engineer

SAN JOSE

322 Piercy Road
San Jose, CA 95138
Phone: (408) 362-4920
Fax: (408) 362-4926

LIVERMORE

257 Wright Brothers Ave.
Livermore, CA 94551
Phone: (925) 243-6662
Fax: (925) 243-6663

SACRAMENTO

4200 N. Freeway Blvd.
Suite 2
Sacramento, CA 95834
Phone: (916) 564-7809
Fax: (916) 564-7672

OAKLAND

7700 Edgewater Drive
Suite 847
Oakland, CA 94621
Phone: (510) 633-1332
Fax: (408) 362-4926

FRESNO

4339 N. Golden State Blvd.
Suite 103
Fresno, CA 93722
Phone: (559) 271-0773
Fax: (559) 271-0763

WEBSITE


www.terrasearchinc.com

E-MAIL

info@terrasearchinc.com



MEMORANDUM

TO: Sayed Fakhry & Dave Pitton, City of Santa Clara
CC: Richard Mindigo, Mindigo & Associates
FROM: Robert Del Rio 
DATE: April 26, 2007
SUBJECT: Santa Clara Square (April 2005) Traffic Count Validity

The traffic study for Santa Clara Square was begun in September 2003. The initial study was completed in April 2004 and is based on traffic counts collected in 2002-2003. The report was later revised to account for a change in project description in April 2005. At the time of the revision, the need to update traffic counts used in the analysis was discussed with Dave Pitton. Both he and Hexagon agreed that traffic volumes at that time had been decreasing and it would not be worthwhile to collect new counts. Therefore, the April 2005 report is also based on 2002-2003 counts.

The question of the validity of the 2002-2003 counts has been raised again. To evaluate the validity of traffic counts used in the analysis, recent traffic counts at study intersections must be obtained. The CMP Monitoring Program collects traffic counts at its facilities typically on a yearly basis. There are recent intersection counts available at CMP intersections within the City of Santa Clara and can serve as a tool to evaluate any trends in counts between 2002 and 2006. The CMP did not collect counts in 2003 and 2005 and not all counts collected in 2006 are available. The attached Table 1 presents traffic count comparisons at those CMP intersections for which 2006 counts are available. When comparing the 2004 and 2006 counts to those from 2002 used in the study it is evident that traffic volumes have decreased since 2002.

The CMP Monitoring Program has not released its 2006 Monitoring Report. Therefore, the latest officially approved counts for CMP intersections are from 2004. As an alternate tool to evaluate the validity of the 2002-2003 counts used in the April 2005 TIA, the CMP study intersections were reevaluated using the 2004 counts. As shown in Table 1 the results show that there would be no change in the overall results of the April 2005 TIA using the more recent 2004 counts.

Based on the data gathered and reanalysis of level of service for CMP intersections located within the City of Santa Clara, it appears that the 2002-2003 traffic counts used in the April 2005 Santa Clara Square traffic study represent a peak in traffic volumes prior to the downturn of the economy.

Table 1
Santa Clara Square Intersection Turn-Movement Comparison

	Year 2002		Year 2004			Year 2006		
	Count Date	Total Volume	Count Date	Total Volume	% Increase ¹	Count Date	Total Volume	% Increase ¹
El Camino Real and Halford Avenue			03/19/02	2,316		03/07/06	2,153	
El Camino Real and Monroe Street	10/23/02	3,077	09/15/04	2,554	-17.0%	09/19/06	2,769	-10.0%
El Camino Real and Lawrence Expressway	10/23/02	5,464	09/14/04	4,039	-26.1%	09/21/06	4,949	-9.4%
I-280 SB and Stevens Creek Boulevard	10/30/02	4,327	09/16/04	3,915	-9.5%	09/20/06	4,036	-6.7%
Lawrence Expressway and Stevens Creek Blvd. (East)	10/30/02	4,633	09/16/04	5,309	14.6%	09/20/06	4,474	-3.4%
Lawrence Expressway and Stevens Creek Blvd. (West)	10/30/02	3,772	09/16/04	3,646	-3.3%	09/21/06	3,549	-5.9%

Notes:

1. Percent increase based on comparison to Year 2002 count.

Table 2

Santa Clara Square CMP Intersection Levels of Service Summary (2002 vs. 2004 Counts)

Study Number		Count Date	Existing			Background			Project Conditions		
			Ave. Delay	LOS		Ave. Delay	LOS		Ave. Delay	LOS	Incr. In Crit. Delay
2	El Camino Real and Lawrence Expressway*	10/23/02	31.8	C		38.8	D		40.3	D	0.0
		09/14/04	34.7	C		47.8	D		52.9	D	11.2
7	El Camino Real and Bowers Avenue*	10/31/02	44.9	D		48.8	D		49.4	D	0.9
		09/14/04	47.1	D		54.4	D		55.9	E	2.8
8	Lawrence Expressway and Scott Boulevard*	10/03/02	67.6	E		70.7	E		70.9	E	0.4
		09/15/04	65.9	E		71.0	E		71.8	E	1.4
10	Lawrence Expressway and Monroe Street*	10/08/02	38.5	D		42.2	D		43.3	D	1.8
		09/16/04	38.0	D		39.6	D		40.0	D	0.8
14	Lawrence Expressway and Homestead Road*	10/03/02	54.1	D		137.4	F		137.3	F	0.7
		10/12/04	54.3	D		136.1	F		136.3	F	1.0
17	Lawrence Expressway and I-280*	10/08/02	39.8	D		56.7	E		57.7	E	1.5
		09/29/04	39.2	D		57.5	E		58.8	E	1.5

* Denotes CMP intersection

6.6.6 Sanitary Sewer

The Sewer Utility is responsible for the inspection, operation and maintenance of the sanitary sewage collection system. The Utility also performs minor construction work and cleanout installation. The system in 1989 consisted of 261 miles of collector and transmission mains; 22,000 sewer lateral connections; 4890 manholes; 16 siphons; five lift stations and two pump stations. In 1988, the system collected and treated approximately 7.2 billion gallons of sewage. As of July 2006, the system has been expanded to include an additional 16 miles of sewer line (277 miles total); an additional 2,400 sewer lateral connections and a new pumping station.

The San Jose/Santa Clara Water Pollution Control Plant near Alviso is a regional wastewater treatment facility serving eight tributary sewage collection agencies. The Water Pollution Control Plant is administered and operated by the City of San Jose's Department of Water Pollution Control. In 1989, the City of Santa Clara's share of the treatment plant capacity was 26.4 million gallons per day (MGD). It is anticipated that in 1993 the City's flow may reach 23.6 MGD, leaving a reserve capacity of 2.8 MGD. By 2005, the flow is expected to reach 25.8 MGD. The City of Santa Clara's projected growth from 1990 to 2005 will increase the average daily flow by 2.16 MGD and increase the peak flow by 5.4 MGD.

Based on 1989 flow measurements and more current 2007 hydraulic modeling data¹, the large interceptor mains and pump stations that convey Santa Clara's sewage to the treatment plant have adequate capacity for existing sewage flow. However, based on hydraulic modeling of the system, several sewer mains and collector lines are at or near capacity, and will suffer from capacity deficiencies to accommodate the increased wastewater flows generated from projects within the City that are contemplated by the current General Plan and that could be constructed through the years 2010 and beyond. These projected capacity deficiencies are based on the anticipated increased sanitary sewer flows resulting from the cumulative development and redevelopment projects and increased densities in mixed-use and transit-oriented areas that are consistent with and included as part of projected growth anticipated under this General Plan, but that may occur in years 2007 and beyond. The majority of deficiencies are projected to occur on the western side of the City along the 27-inch through 36-inch trunk sewer in Great America Parkway and Bowers Avenue and extending upstream into the smaller trunk sewers in Chromite Drive, Machado Avenue, Calabazas Boulevard and El Camino Real. The deficiencies are also attributable to the City's commitment to provide a defined volume of conveyance capacity for a portion of the City of Cupertino, based upon a contractual agreement when the City of Santa Clara purchased and existing sewer trunk line from the Cupertino Sanitation District some years ago. There are also some areas of predicted capacity deficiencies in the southeast portion of the City in Scott Boulevard and Park Avenue.

As such, new development projects that contribute sewer flows to those portions of the sewer collection system projected to have deficiencies may require selected improvements. The hydraulic modeling study completed by the City in 2007 includes recommended solutions to these capacity deficiencies. These solutions have been used to estimate capital improvement

¹ RMC Water and Environment, Sanitary Sewer Capacity Assessment Draft Report prepared for the City of Santa Clara, dated May 2007

costs, which can be factored into the City's Capital Improvement Program and associated fee structure.

The evaluation of impacts upon the smaller collector mains will continue to depend on the location and type of development. Sewer mains near or adjacent to other large undeveloped or redevelopable parcels may have adequate capacity to accommodate most types of development on those sites; however, the type of development can radically impact reserve capacity within the conveyance system. The City's experience is that certain types of industry, e.g., printed circuit board manufacture and wafer fabrication, discharge very high volumes of wastewater in relation to their floor area - as much as 6 to 10 times more than most other commercial and industrial uses. It is a City requirement that new industrial, commercial and major residential development be reviewed to determine projected wastewater load and available sewer capacity before zoning approval or permits are granted. To the extent that additional sewer collection system improvements may be identified, such improvements will become the responsibility, in whole or in part, of those developing properties.

Cost of sewer service will escalate because of increasingly strict federal and state regulatory requirements on sewage treatment and disposal. Notwithstanding, the Sewer Utility will continue to establish fair and equitable fees, rates and charges to provide revenue sufficient to maintain the fiscal integrity of the utility.